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THE MAKING OF MODERN  
IRAQ





WIDE WORLD

KING FEISAL I  
FIRST RULER OF IRAQ



THE MAKING OF MODERN

# IRAQ

A PRODUCT OF WORLD FORCES

BY

HENRY A. FOSTER



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THE MAKING OF MODERN IRAQ:

A PRODUCT OF WORLD FORCES

*Henry A. Foster*

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## PREFACE

THE ADVENT OF A DEMOCRATIC STATE among the Arabs arrests at once the attention of the political scientist. When considered from the standpoint of Iraq's historical rôle as a source of social origins, as a strategic center of imperial conflict and power, as the victim of centuries of oppression and exploitation following unparalleled achievements, and, finally, as a ward of world concert for political and social tutelage in the name of the sacred trust of civilization, the story should assume, for the general student of human affairs, fascinating proportions.

Whatever may be said to the contrary, the new Iraq must stand in considerable measure for the deliberate repudiation of the practice of annexation by victors. May we not say that she represents a measurable recognition of human interdependence and world neighborliness?

The fundamental ideas of article 22 of the Covenant of the League of Nations are the mandate, tutelage, trust, and their ultimate termination. All these are inherent in the parent-offspring relationship. These, as is the way of nature's laws, crept into the concepts and practices of early systems of private law. The Roman law incorporated the ideas of the mandate and tutelage; Anglo-Saxon and Anglo-American law developed the idea of trust. It remained for modern times to take these ideas into the larger field of public policy and administration. The United States did her own domestic state-making under the ægis of these ideas.

As for article 22, the United States is due much credit for initiating the scheme, and Great Britain for successfully executing it, while other powers watched, criticized and approved.

An extensive book on the story is long overdue. Shorter accounts so far published have been inadequate. It is hoped that this work will be a contribution approximating the present need.

I am happy to have this opportunity to express my deepest gratitude to the following persons; Professor Graham Stuart, Stanford University, for valuable criticism in the first stages of this study; Professor,

Jesse E. Wrench, University of Missouri, for a thorough reading of the manuscript in its first draft; President Uel W. Lamkin, Northwest Missouri State Teachers College, for allowing me time for completing the work; and finally, and most of all, to my wife for tireless aid in many ways and solicitude at every turn of the undertaking.

HENRY A. FOSTER

*Ann Arbor, Michigan*

*July 24, 1935*

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## CONTENTS

	PAGE
PREFACE	v
CHAPTER	
I. HISTORICAL BACKGROUND	1
II. ARAB AND IRAQI	11
III. EUROPEAN CONVERGENCE AND AMERICAN RESCUE	28
IV. WESTERN CONTROL AND EASTERN REVOLT	52
V. COLONY, MANDATE, OR TREATY?	87
VI. GREAT BRITAIN BECOMES "TRUSTEE" IN IRAQ	104
VII. THE STRUGGLE FOR MOSUL OIL	127
VIII. GREAT BRITAIN WINS MOSUL FOR IRAQ	142
IX. THE IRAQI FRAME OF GOVERNMENT AND TREATY RELATIONSHIPS	178
X. BRITISH ADMINISTRATION BEFORE THE PROVISIONAL GOVERNMENT	203
XI. TUTELAGE UNDER CIVIL RULE	225
XII. TERMINATING THE MANDATE	271
XIII. THE STORY IN BRIEF	295
BIBLIOGRAPHY	305
INDEX	316



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## ILLUSTRATIONS

KING FEISAL I	Frontispiece
	PAGE
HOW TURKEY WAS CARVED BY SIX SECRET AGREEMENTS	45
MOSUL	<i>Facing</i> 156
TRANSPORTATION LINES IN IRAQ	255
NORTH AND CENTRAL ARABIA	<i>Facing</i> 304





THE MAKING OF MODERN  
IRAQ



## Chapter One

# HISTORICAL BACKGROUND

### *Introduction*

ON OCTOBER 3, 1932, Iraq was released from the mandatory system of the League of Nations as an independent state. She thus became the first graduate pupil of the League's tutorial school for backward peoples preparing for statehood and membership in the family of nations. This establishment, in the Arab world, of the first nation-state by the pattern of western democracy is only the latest of a fairly endless number of unusual events in the history of this fabled land.

Traditionally Iraq arises out of Eden. Historically she is the most recent political creation of the concert of world powers. She is then, in the sweep of human affairs, both the Alpha and the Omega of social entities. She represents in a significant sense a comprehensive cycle of the human story: Out of the unity of creation, then through millennia of varied cultural lights and shadows, and now back again as a project of human unity.

The story has at many points the same selfish sordidness, monotony, and tragedy characterizing man in general, but certain of its particular aspects, and more especially its general sweep, exhibit ever and anon the drama and the romance of an evolving world order.

Iraq as a newly current term emerges out of the very heart of the post-war break-up and realignment. It is not only evidence, but part and parcel, of a new era—an era of state-making among backward peoples and in a new atmosphere of internationalism. Iraq is at once the recognition, in principle, of the universal justice of local political diversity and of human interdependence and unity.

Our main purpose here is to give a brief account of the advent of Iraq as a British mandate under the League of Nations and of the developments leading to her emancipation from the mandatory system<sup>1</sup> into statehood and membership in the League of Nations. We shall always keep in mind, however, as a subordinate theme, that kaleido-

scopic play in and about this area of those world forces without which the events of our main theme could not have happened.

Our story is, in its broad outlines, that of rehabilitation among an ancient oriental, a beaten and backward people, under an accidentally supervised program taking its elements, presumably, from the best of Occident and Orient.

In such a setting Iraq makes the greater appeal to the student of human affairs because it has been such a notable land of human origins—a veritable culture crucible of historical yesterdays. Should we permit Clio to thumb the pages of Iraq history, alternating cultural advance and decline would flit across the vision, a repetition of the immemorial tale of construction and destruction that time tells in the world near and far.

Iraq is perhaps the most unusual of human habitats. In the great land mass of the world it is a mere shred. In a setting of desert waste and sterile mountain it is fairly rainless, but well watered and fabulously productive. It is said that if you "tickle her soil it smiles a crop." Iraq is so located as to be a world highway, and, at the same time, a world crossroad. To the land-hungry hordes of the ages this shred of earth has seemed fair treasure trove to many of those motivated by the slogan, *ubi bene ibi patria*. Where could be found an area, large or small, which has given the world, or from which the world has taken, so much? In principle she stands for a repudiation of the worst of our imperialistic past, oriental and occidental. She stands for the evolving conception that competing human interests must be harmonized, that backward and beaten peoples must be rehabilitated in the name of the sacred trust of world civilization.

### *Name and Location*

As a geographical introduction to Iraq we should identify it with Mesopotamia, though, by no means do the two always mean the same. The latter term suggests to the student of ancient history the Tigris-Euphrates Valley. This Greek name, *μεσοποταμία* (*μέσος*, middle, + *ποταμός*, river), means "the land between the rivers." While Mesopotamia has not always applied to the same area it has always applied to some portion of the country traversed by the Tigris-Euphrates river system and lying between the mountains of Kurdistan and the Persian Gulf. For the most part Mesopotamia formerly referred to that part of the valley north of old Babylonia. This is what it meant to the Greeks. It corresponded roughly to the ancient kingdom of Assyria and to the modern Turkish vilayet of Mosul. But though Mesopotamia meant

this to the Greeks, and something different to the Romans and to others later, it has meant in modern times the Tigris-Euphrates Valley.

As for "Iraq," it is an Arabic term and came into use only after the Arab conquest of the country in the seventh century, A.D. Since that time it has applied to that portion of the valley formerly known by the ancients as Babylonia, or Chaldea. The old Arabic name of Chaldea is said to have been "Iraq ul 'Arab, the Arabs' mudbank."<sup>1</sup> Iraq was approximately the region below the Median Wall, from Opis on the Tigris, at the mouth of Shatt-el-Adhem, to the neighborhood of Rawadieh (Ramadiya) on the Euphrates; that is, from nearly latitude 34° to the Persian Gulf, and from the Syrian desert to the Persian mountains.<sup>2</sup> This name is not, as some have claimed, derived from the ancient names of Iraq Arabi and Iraq Ajami.<sup>3</sup> In the recent struggle between the British and Turks over Mosul the former made some effort to prove that Iraq included that portion of the two rivers country but the commission to inquire into the matter later, after thorough study, decided against the British contention. The Arabs had not predominated in Mosul as they had to the south. They had not used the name Mesopotamia. That was European. As the World War neared its end and Arab aspiration to statehood developed the Arabs themselves sought to extend the name of Iraq to cover Mosul. It seems to have been adopted for this purpose by a nationalist organization called "Ahd el Iraqi," and composed of Mesopotamian officers in Emir Feisal's army, famous for its share in taking Palestine under General Allenby.<sup>4</sup> Now with this ambition of the Iraqis reached we use the name Iraq as applying, as does modern Mesopotamia, to that part of western Asia approximately covered by the former Turkish vilayets of Basra, Bagdad, and Mosul.

It is about the southeast half of what Professor Breasted calls the "Fertile Crescent." Roughly the area is bounded on the north by the Kurdistan mountains, on the east by Persia, on the south by the Persian Gulf and Arabia, and on the west by Arabia and Syria. But these are by no means the definitive bounds of the modern state of Iraq. Until we come to the recent attempt at a delimitation of this new state's frontiers it may be said that "out on the wide reaches of the desert there are no boundaries; the pasturage is free as air to the

1. F. W. Chardin, "Iraq-Mosul," *The English Review*, XLI, 486.

2. Richard Coke, *The Heart of the Middle East*, p. 12.

3. See *Report of Commission of Enquiry Regarding the Turco-Iraq Frontier*, cmd. 2557, pp. 24-9. The Commission made an extensive study of the history of this name.

4. Marguerite Harrison, *Asia Reborn*, pp. 173-4.

first comer.”<sup>5</sup> We shall see, however, how important is the matter of a definite determination of the frontiers of this new would-be member of the “family of nations.”

### *Early History of Iraq*

Millennia of the human story had been recorded in this hoary plain before even the Greeks, whose name it bears, made their exit from the Balkan mountains of the north. Its story has its dawn even in Eden, whenever that was.

Here we are, according to Holy Writ, and with confirmation of certain of the present-day natives themselves, in the real land of the fathers. At the junction of the Tigris and Euphrates, where they form the Shatt-el-Arab, stands the dilapidated town of Qurna (Kurna) where tradition says was the cradle of the race. Here it is said Adam and Eve wandered, here grew the forbidden fruit. The inhabitants still point to the site of the garden where now grow only the ubiquitous palm and a few dwarfed fig trees.<sup>6</sup> At any rate “God planted a garden eastward in Eden” and a “river went out of Eden to water the garden.” From this river as a common head there issued from Eden four rivers, two of which were the Tigris and Euphrates. The other two, Pison and Gihon,<sup>7</sup> seem to defy the geographers. Such a river scene might easily be found in Mesopotamia with its numerous distributaries. A recent visitor at Qurna had pointed out to him “a bright green nubbak tree” which was “declared to be the ‘Tree of Knowledge,’” but he says, “the captain confided in me that his father planted it thirty years before.”<sup>8</sup>

And, unfortunately for the Qurna Eden, although the town today is only about eighty or a hundred miles north of the Persian Gulf, even in Babylonian times, according to Breasted, the gulf extended some 150 to 160 miles farther north than at present.<sup>9</sup>

A very recent visitor to Iraq, and a clerical scholar who knows of the locations of a hundred Edens elsewhere, trusts that while motoring from Bagdad to Babylon he must at some time be in the environs of that fabled garden. His unctuous sentiments seem to wish the location near Babylon.<sup>10</sup>

The fiery furnace of Shadrach, Meshach, and Abednego have been

5. J. H. Breasted, *The Conquest of Civilization*, p. 119.

6. See “Mesopotamia,” *Blackwood's Magazine*, CC, 803.

7. Genesis 2:10-14.

8. Canon J. T. Parfit, *Mesopotamia: The Key to the Future*, p. 11.

9. Breasted, *op. cit.*, note, pp. 122-3.

10. J. A. Zahm, *From Berlin to Bagdad and Babylon*, pp. 466-9.

traditionally associated with boiling springs of molten pitch, with beds of volcanic ash, or with the ancient brick kilns of Iraq. The biblical flood story is said to have had its origin in the inundation of the Euphrates and Tigris.

But if tradition cannot be trusted, there are other evidences that in Iraq we are on holy ground. Just across the Euphrates to the west of Qurna is "Ur of the Chaldees" from which Jehovah "brought" Abraham, "father of the faithful." It was from here, according to sacred account, that this far-famed Hebrew leader made his way over the desert into the land of Canaan, at the opposite end of the Fertile Crescent, "flowing with milk and honey."

Here in the Two Rivers country arose those contradictory philosophies of Cain and Abel regarding one's relations to one's brother—philosophies which now, after their competitive rounds of the earth, again face each other for practical solution in the land of their origin.

While the above accounts of Iraq's connections with our past are mainly unauthenticated, it is well to identify these traditions with the land of our study.

There are, however, profound and reliably recorded connections. Biblical and other accounts agree in inseparably linking Iraq with the religious and cultural past of the race. Both Judaism and Christianity had origins in this "heart of the Middle East." To the Jew it was the land of exile; to both Jew and Christian it was the land of the origins of faith, and faith was, in many respects, more profound that fact.

Professor Breasted has vividly presented the evolution of the Jewish religion as it was influenced by contacts of the Hebrews with the Assyrians and the Babylonians.<sup>11</sup> It was out of these clashes that the Hebrew deity, Jehovah (really Yahveh), was later conceived as something more than a god of war in competition with Assur, the Assyrian deity. The Assyrian captivity (722 B.C.) of many a "chosen" son and daughter of Yahveh was not just a victory of Assur; it was, as Isaiah taught the Hebrews, Yahveh's rod of anger punishing Israel for its sins. Hence, out of this clash between Palestine and Iraq there came into the Hebrew faith, thanks to Isaiah, the idea that these events were not merely an intertribal-god struggle, but that they were the means of disciplining and heightening, through adversity, the character of the Jewish race. This resourceful leader, true to the type of the greatest, thus found a heightened reconciliation of the old faith with contemporary events. Yahveh, then, instead of being abandoned in defeat, is

11. *Op. cit.*, pp. 225 ff.



advanced on the highroad toward universalization. He could therefore be God in Assyria as well as in Palestine.

A second exile into Iraq, following the destruction of Jerusalem by Nebuchadnezzar (586 B.C.), this time at Babylon, only added to the continued development of the Hebrew faith. Here again in the emergency arose another leader, this time in Iraq itself, whom Breasted, for want of a real name, calls the "Unknown Prophet" and the "greatest of the Hebrews." He too, interprets Jewish adversity as Yahveh's means of discipline. The latter was thus preparing his people for greater service to the world. The hope of return to Zion was held out to the exiles. Following these afflictions and return to the homeland they would yet fulfill a great mission to all men. This prophet's horizon was so enlarged in the land of the Two Rivers, for which kings had already fought from time immemorial, that he saw Yahveh's great purpose. "Thus had the Hebrew vision of Yahveh slowly grown from the days of their nomad life, when they had seen him only as a fierce war god, having no power beyond the corner of the desert where they lived, until now when they had come to see that he was a kindly father and a righteous ruler of all the earth. This was monotheism, a belief which made Yahveh the sole God."<sup>12</sup>

Then one day (539 B.C.) came the great Persian Cyrus, of the Prophet's hope, and the exiles were free. And with what a heritage of renewed faith and heightened vision did a remnant of this unfortunate race return to its beloved Jerusalem! But they were no more to be a united nation, for the two Mesopotamian captivities had doomed that hope. In fact, no great number of Jews ever returned to Palestine from the Babylonian captivity. The bulk of them remained in Babylon, it is said, "and considered themselves the pick of Jewry."<sup>13</sup> They were prosperous and more contented with the passing years. The descendants of these exiled sons of Abraham, unlike their Palestinian fathers, who had been given mainly to agricultural and pastoral pursuits, seem now to have turned largely to commerce. Later in southern Babylonia they developed the talmudic schools of Sara and Pumbeditha, of great influence from the third to the eighth centuries, A.D.

In this brief review of Iraq as a land of religious origins it is significant to note, too, that congregational worship grew up among these Babylonian exiles. This was a far call from the old Jewish idea that Yahveh could be found nowhere save in the temple at Jerusalem. But

12. *Ibid.*, p. 229.

13. Elkan Nathan Alder, *The Jew of Babylon in Judaism and the Beginnings of Christianity*, pp. 96-7.

a tenacious hold on the old faith found its natural readjustment in religious group activities far from the temple, especially since the temple itself had long since been destroyed. Out of such group reminiscences and worship came, it seems, the synagogue which went west to Palestine and became the heart of Judaism. And out of the synagogue has grown the Christian church and the Mohammedan mosque.<sup>14</sup>

The profound moral and religious teachings growing out of the richness of Hebraic experience, and bitter though it was, much of it out of the contact with the Two Rivers country, were later brought together in the form of the Pentateuch. On that great body of law and teachings rested Judaism, and in it were the roots of Christianity and Islam, the most potent religious forces in the world for twenty centuries now.

We now turn to another side of Iraq's past. Reference has been made to the clash of empires in and about the fertile strip of the Iraqi country. It is well to note the fame of its fertility. Herodotus said it gave an increase of from two-hundred- to three-hundred-fold; Theophrastus said fifty- to one-hundred-fold; Strabo, three-hundred-fold; and Pliny, one-hundred-fifty-fold. These are doubtless, for the most part, exaggerations. But exaggerations only lent "enchantment" to this fabled soil. Lying as it does between the mountains of the north and east, on the one hand, and the desert grasslands of the south and west, on the other, it has been a sweet morsel for land-hungry neighbors. From time out of mind has gone on the struggle between the wandering tribes of these two outlying areas for mastery of the fertile strip separating the two. It was often a conflict between the nomadic marauders of sterile desert or unfruitful mountain and the settled and cultured folk of the fruited valley between.

No ancient civilizations came earlier, lasted longer, or were more brilliant, excepting perhaps those of Egypt and of China, than those of the Two Rivers country. They were scattered throughout the centuries from the Sumerian of 4000 B.C., or earlier, to that of the Abbassids of the eighth and ninth centuries A.D. Between these came the Akkadian, early Babylonian, Assyrian, Chaldean, Persian, Alexandrian, Parthian and Sassanid. The capitals and centers of culture associated with the great names of the Sargons, Hammurabi, Sennacherib, Nebuchadnezzar, and Harun-ar-Rashid were all located on these hospitable rivers.

We mention this formidable succession of empires and leaders be-

14. See R. Travers Hereford, *Judaism in the New Testament Period*, pp. 26 ff.

cause, while the stories of all of them have competed for the front pages of our historical annals, all have fought for and had their greatest glory in the fertile strip now called Iraq.

The location and character of Iraq is such that it has been the concern of peoples farther away than the neighboring mountains and deserts. The Macedonian, Alexander the Great, in his spectacular imperial career swept over Mesopotamia and on to India far beyond, but only to return and die (323 B.C.) in the fascinating Babylon of Hammurabi and Nebuchadnezzar. Thus are foreshadowed the later centuries of European interest and penetration in Asia.

The greatest of the Seleucid kings (successors of Alexander), Antiochus III (the Great), was attacked and defeated at Magnesia (190 B.C.) by Rome, the new imperial power in the western Mediterranean. The Seleucids, however, remained in control of Mesopotamia for another half-century when they were overthrown by the Parthians, kinsmen of the Persians, from the eastern mountains.

After taking the Seleucid capital the Parthians built their own capital, Ctesiphon, just across on the opposite side of the Tigris. Here they maintained themselves for more than three centuries, but they too eventually had to face in defeat the second European invader of Asia who built the "eternal city" on the Tiber. But this country was, in the second century, A.D., far from the Tiber and expensive to defend and develop. Accordingly Rome abandoned Mesopotamia for a frontier at the Euphrates, allowing the Parthians again to move in. Later the Parthian power declined before the revival of the Persian. The new Persia proved a worthy foe of Rome and for the next few centuries Mesopotamia was held, now by Rome, and then by Persia, only here the center of Roman power had shifted to the Bosphorus. At Constantinople, this "second Rome," the imperial fires of Europe, threatening Asia, burned themselves out and serious menace from that quarter disappeared for nearly a thousand years, till the coming of the Crusades.

### *Archæological Interests in Iraq*

The estimate which the modern world puts upon the achievements of these Iraqi culture groups is amply attested by the interest of archaeologists and other scientists in the buried ruins of their great cities. The following are only a few of the many sites where excavations have been undertaken, or are now in process: Eridu, Ur, Larsa, Lagash, Nippur, Kish, Babylon, Ctesiphon, Nineveh, Assur, Erech, and Bagdad. There is no other such limited area today, nor has there been such at any time in the past, in which so much effort and means are being ex-

pended for unearthing the evidence of past human achievement. The following from the founder of the Oriental Institute of Chicago is illustrative of this scientific interest:

"The inspiring task which confronts America in the Near East cannot be achieved without the aid of a new generation of young Americans who are willing to spend the years necessary to gain the training and equipment without which we cannot hope to meet these responsibilities which await the historian in the ancient Orient. Such new recruits, both young men and young women, may look forward to a life work of absorbing interest and ideal usefulness to science, coupled with a living return for labor achieved. Great opportunities await the young historian in this field. It will be a life of some sacrifices. Those who elect to undertake it must set their faces to the East, feeling a deep reverence for the life of man on the earth and highly resolving to devote their all to this New Crusade. To such spirits it will not be irksome to dwell among the memories of the past; to them the recovery of the unfolding of the life of man will not be a toilsome task, but rather a joyful quest, the modern quest for the Holy Grail, from which arduous journeys and weary exile in distant lands will not deter us. For in this crusade of modern scientific effort in the ancient Orient, we know what the first crusaders could not discern, that we are returning to ancestral shores."<sup>15</sup>

The millions of treasure and the brawn and brain poured into divers excavating projects, supervised by the British Museum, the Field Museum, the universities of Oxford, London, Yale, Harvard, Chicago, Pennsylvania, California, and others, many working jointly, stamp this area as the modern Golconda of ancient human origins. The excavating hosts are, by no means, made up of archæologists alone. Anthropologists, ethnologists, physicists, *et al.*, are represented. The objective sought is recovery, as nearly as possible, of the total life of these ancient peoples.

Of all the invaders of this fruited soil the archæological hosts, with their attendants, are unique. Representing science, they cannot be tribal, as have certain religious and other invaders; they cannot be political, or national, as has many an imperial intruder; they are not credal or patriotic. They are mainly universal in their human objectives, and what a refreshing western breeze is this in a land so often scared by the gusts of marauder and devastating army from near and far!

15. James Henry Breasted, "The New Crusade," presidential address before the American Historical Association, Indianapolis, December 28, 1928, *American Historical Review*, XXXIV, 235-6.

Thus we have seen the intimate associations of Iraq with the origins of civilization, including that of Judaism and Christianity. We shall later add Mohammedanism to the list. We would emphasize the prevalence of foreign contacts in this area. Out of the clash and mingling of interests and ideals here have come many of our most splendid ideas. Here the imperialism of state and the imperialism of religion were inseparable. Here in early ancient times the evolution of ideas relating to a world religious community and a world political community played about the land of the Two Rivers as its lodestar. Though the world be small at the time, from this interpenetration of its forces, Christianity was enabled to advance to the concept of the brotherhood of man.

We shall later see something of how the development of a western secular culture, largely freed from religious dominance, but whose imperial objectives, as already foreshadowed in the cases of Greece and Rome, included this ancestral home of the race. And it would seem no mere accident that as this western lay culture now moves towards the concept of the essential unity of human material interests that it should seek to bring to fruition in Iraq its first project in a formal world program of reclaiming an exploited but talented people to the brotherhood of nations.

## Chapter Two

# ARAB AND IRAQI

### *Origin and Early History of the Arab*

THE ARABS ARE SEMITES, belonging to the same great racial group as the ancient Babylonians, Assyrians, Aramæans, Phœnicians, and Hebrews. Being of kin they must have had at some time a common original habitat. This common home of all Semites seems, according to scholars, to have been the Arabian Peninsula.<sup>1</sup> For some as yet insufficiently explained causes, Arabia has, throughout the ages, been an almost inexhaustible source of human numbers and energy. They have gone hence in many directions, frequently in overwhelming numbers. We have seen already something of their invasions, migrations, and exiles into Iraq, in which have been wrought most of their cultural achievements. It is out of this Arabian folk reservoir that our present-day Arab emerges. His connections lie deep in this desert and Semitic past. The scholar's incurable bent for origins and developments is here challenged by the fact that while the early Semites had their millennia of world dominance when civilization was beginning and when the world was small, their only important remnants, both Jew and Arab, now become the wards of a world program looking to their "self-determination" in a scheme of universal affiliation. Arab tradition, and history as well, take us back to Old Testament times. Both Jew and Arab claim that the Arabs are descended from Ishmael, the son of Abraham. The Jew sometimes, in accordance with the biblical genealogy, refers to them as "Ishmaelites" and at one time they are enumerated among other objects whose creation was regretted by the Almighty. This interpretation seems to have some connection with the fact that Jews in their travels frequently fell into the hands of the hold-up Bedouin.<sup>2</sup> Whether or not the cause

1. See Joseph Hell, *The Arab Civilization*, trans. from the German by S. Khuda Buklish, p. 2.

2. D. S. Margoliouth, *The Relations Between Arabs and Israelites Prior to the Rise of Islam*, p. 57.

of divine repentance, as seen by his Jewish kinsman and desert competitor, the Arab doubtless reached in pre-Christian times no mean cultural attainment in various parts of the Arabian Peninsula. A number of kingdoms, especially in southern Arabia, rose to distinction, some recognized in the Old Testament.<sup>3</sup> And "... innumerable inscriptions on the Arabian rocks testify to a civilization and government of the then age."<sup>4</sup> Some of these inscriptions go back to the tenth century, B.C.<sup>5</sup>

The intimacy of Jew and Arab is attested by the similarity of their languages, by the Jewish historian, Josephus, and by Moslem historians. The latter "record how at one time Judaism held sway in South Arabia, and how when Islam commenced, it had to deal with Israelitish communities settled in the cradle of the system, the Hijaz."<sup>6</sup>

The name Arab seems to have been applied before the Christian era to the mass of inhabitants in the peninsula. Almost all the peoples there now are so classed. Outside of Arabia today we find Arabs widely scattered over Palestine, Syria, Mesopotamia, on the eastern shores of the Persian Gulf, on the western shores of the Red Sea, across northern Africa, and in even more distant parts of Africa and Asia. On the periphery of "Araby," and beyond, they are, like all other peoples, mixed with other races. The Arabs of the coasts, of Palestine, Syria and of Iraq are more or less hybrid.

### *Arab Character*

The social scientist today explains character mainly out of the elements of geographical and social environment. Accordingly, the Arab must be on the physical side a complex of influences from desert, oasis, mountain, and watered valley; and on the social side, from inter-group struggles and their deprivations, interspersed with the prosperity of a settled life in peacetime. Hence, in the broad sweep of Arab class and character we see first, as outstanding, the Bedouin nomad; then comes the settled tiller of the soil, and the dweller in village and town. Between nomad and cultivator is the semi-nomad who is now one, now the other of these. When we come to Iraq with its vast marsh lands we shall see still another class, the marsh Arab, one of the most unusual of human types.

The Arab impresses one preëminently as a desert race, hence the distinctiveness of the Bedouin. While the Arabs still go unenumerated it is evident that the nomad greatly exceeds in numbers all others of

3. *Ibid.*, p. 51.

4. *Hell, op. cit.*, p. 2.

5. *Ibid.*, p. 7.

6. *Margoliouth, op. cit.*, p. 1.

his race. Here for untold ages this hardy product of the struggle for existence has tramped or ridden the arid range for his physical and spiritual sustenance.

Religiously this nomad emerges as a polytheist. The desert's "... vast solitudes have tinged his soul with solemnity. His imagination peoples the far reaches of the desert with invisible and uncanny creatures, who inhabit every rock and tree, hilltop and spring. These creatures are his gods. .... The nomad pictures each one of these beings as controlling only a small corner of the great world, perhaps only a well and its surrounding pastures. At the next well, only a day's march away, there is another god belonging to the next tribe."<sup>7</sup> This diversity of gods largely disappeared with the acceptance of Allah but many a superstition and the impress of the desert generally, remain. The desert's "solitudes" have made gravity and dignity typical of the race.

While the struggle for existence has kept the Bedouins split into groups, often bitterly hostile to one another, the common fight with nature has impressed upon them the widely acknowledged duty of hospitality. This virtue is even carried to a fault among them. It extends to non-Arabs as well. A recent traveler says "there is nothing in the world to equal Bedouin hospitality. How many Bedouins whose guest I became, would deprive themselves of the best in their stores, or of the last lamb or goat, to honor me?"<sup>8</sup> Another recent traveler finds hospitality no less marked among the crude and despised marsh dwellers of southern Iraq. "Haji Rikkin's gnarled hand," he says, "pulled limb from limb; with his fingers he tore the tenderest pieces of the meat from the back of the roasted lamb, and handed them to me with a great fistful of the stuff."<sup>9</sup> But he found the *show* of hospitality was greatly overdrawn, e.g., Haji had called to the women to prepare with the lamb, sultanas, spices, cloves, almonds, and peppers, but he never intended that such an elaborate menu be served so the guest's "fistful" apparently contained only rice and lamb.

The Arabs mentally are usually regarded as imaginative, lively, subtle; their apprehension as quick and attentive, and therewith a spirit of freedom dominates their countenances. Their eyes are vivacious and their speech is likely to be voluble. They are quick in following arguments and "sensitive to vivid and telling phrases. Yet in practical issues, where constructive ability, energy, and dexterity are

7. Breasted, *op. cit.*, p. 120.

8. Carl R. Roswan, "From Tent to Tent Among the Bedouins," *Asia*, July, 1929, p. 571.

9. Fulanain, *The Marsh Arab*.



needed, they often seem to Europeans more or less incompetent and lazy. A contempt for manual labor as degrading is common among them. The pure-bred tribesmen and the urban Arabs of the upper class have generally an aristocratic ideal of conduct which includes courtesy, dignity, hospitality, and generosity, and they admire, in themselves or in others, actions which display such qualities."<sup>10</sup>

Physically the Arab is generally recognized as a fine type. He is brown, robust, and elegant of figure. The ethnologist sees in him a likeness to the gifted Mediterranean race.

But while there is wide recognition of talent among the Arabs they are also regarded as exceedingly wayward. From the standpoint of social control in the western sense their dominant virtue is a passion for a primitive spirit of independence and personal freedom. This universal impatience with personal restraints has brought many an Arabian prince, as well as many a caliph, to a violent death. To be sure there are powerful bonds of unity among them. Race, faith, speech, geography, and centuries of sojourn in a common habitat with the consequent body of Arab traditions, are all in favor of social consolidation. But to his western governmentalized friends the Arab is a continual disappointment, a riddle, and even a despair.

Doubtless government is looked upon even today by the masses of Arabs, and by the sheiks as well, as a means of extorting taxes, of military conscription, or of otherwise restricting their God-given freedom. There is little or no recognition, *en masse*, of the blessings of an ordered social life. To them social relationships, in the pristine purity, are a condition of near anarchy.

The vast majority of Arabs are thus still hostile to the settled life, preferring at best a temporary abode in the tent which may be moved on as grazing needs of the herd and the plundering habits of the nomadic marauder demand.

Custom is a powerful factor among the Arabs, although there is tribal law but hardly law in the western sense. "The keen-eyed marauder looks with envy across the hills dotted with flocks of the neighboring tribe, which may be his when he has slain the solitary at the well. But if he does so he knows that his own family will suffer death or heavy damages not at the hand of the state, but at the hands of the slain shepherd's family. This custom, known as 'blood revenge,' has restraining influence like that of law."<sup>11</sup>

10. *A Handbook of Mesopotamia* (prepared on behalf of the British admiralty and the war office, 1916), pp. 68-9.

11. Breasted, *op. cit.*, p. 119.

To become a part of a settled, though more productive, social process would rob the Bedouin of his fondest privilege, the exercise of an almost primitive personal freedom. He is thus the prince of democrats. The flesh and the milk of the herd seem all the sweeter when taken in the half-anarchistic atmosphere of the ungoverned wilderness. A traveler reports that "the Bedouin, when they walk through the little towns at the desert's edge, to which they come each year to trade, stop their nostrils in scornful disgust at the stuffy, malodorous streets." And he concludes with the question, "May not their instinct show a greater wisdom than those who would tempt them from the desert?"<sup>12</sup>

The foregoing characterization of the Arab applies mainly though by no means exclusively to the nomads, the predominant element of the race. In order to get an estimate of the settled Arab and of the present-day Iraqis and their prospects, which are our chief objectives in this chapter, it is necessary here to sketch the great pan-Arab movement under the inspiration of Mohammedanism. Thus only can we see the Arab in his rôle of past cultural achievement and in his prospective cultural possibilities under the present world order in Iraq. The fitness here of such a sketch is reinforced by the fact that the great empire and culture which came as a result of this Arab awakening had its capital and center at Bagdad in the heart of Iraq.

It should be noted, too, that while there have been great historic movements of the Arab's semitic kin, and mainly to the east, as already mentioned, this is the first and only widespread awakening and movement of the Arab.

### *The Rise and Conquests of Islam*

The early civilization of Arabia by no means disappeared with the passing centuries. Its commerce, architecture, and poetry were particularly noteworthy—especially the last. Its oldest poems extant date back at least a century before Mohammed. It was, like Homeric and other poetry, handed down by word of mouth, since its composers were illiterate. As always with such traditional composition, this contained ideas of Arab achievement and character. It pictured the Arabs as "fierce, bold, generous, hospitable, truthful, and chivalrous bandits."<sup>13</sup>

The pre-Mohammed Arab was essentially pagan, but before the appearance of the Prophet (A.D. 570-632) decay seems to have taken hold of the prevailing idolatrous polytheism. The idea of the one God,

12. Fulanain, *op. cit.*, p. 63.

13. Lynn Thorndyke, *A Short History of Civilization*, p. 287.

Allah, was already present in the areas about Mecca.<sup>14</sup> But there was no unity of religion and there was no central government. Economic conditions at the time had produced a general restlessness among the tribes.<sup>15</sup>

Here was the *time* and the *place*, if only there could be found the *man*. He came forth opportunely, as do all true prophets, and there was again born, in the Middle East, a new religion—the last to come from this land of the fathers of faith. He, as had the preceding architects of faith, built out of the elements at hand. Jewish and Christian elements had already widely penetrated the country and were competing for acceptance. By grafting elements, mainly from the above sources, to the local, social, and religious customs, Islam was brought forth. Monotheism, the idea of brotherhood, the Kaaba (shrine and home of the Arab deities), and Mecca as the seat of the new religion, are illustrative of the borrowing and the compromise. Adam, Noah, Abraham, Moses, and Jesus, along with Mohammed, are prophets. The last is not only the most recent, but also the final revealer of divine will. Of all the great religions this was the first to serve as the inspiration of, and to furnish the leadership for, the sudden creation of a great empire.

Much of Mohammed's early success was due to the wealthy, mature, wise, and influential Kadija whom, at the age of forty, he married when only twenty-five. She, with her own extensive commercial activities and interests, was only one of a numerous rising commercial class of her day and community. Mecca was not only the religious center of the Hedjaz, but there gathered from far and wide the merchants who held their fairs about the Hedjaz, there the Arabian poets repeated their poems in the sixth and seventh centuries.<sup>16</sup> By induction into this environment the prophet-to-be found wealth with the necessary leisure, and also social position, dignity, and influence. The unifying and stabilizing effects to be brought into this mercantile community by Mohammed's proposed scheme of social control made the alliance an ideal one for all concerned.

The "new woman" in this backward area doubtless remembers somewhat unkindly the fact that "Mother" Kadija did not sufficiently use her influence against the Arabian harem and polygamy which have prevailed in Moslem countries to this day, and which only now

14. W. Wilson Cash says, in *The Expansion of Islam* (p. 35), that "the word Allah was in common use hundreds of years before Mohammed's time, and in the darkest days of ignorance the Arabs always believed in a Supreme Deity. . . ."

15. *Cambridge Medieval History*, Vol. II, *The Rise of the Saracens*, pp. 331-2.

16. Hell, *op. cit.*, p. 13.

indicate their departure. However, the American dry may find consolation in the fact that Islamic prohibition anticipated his ideal by many centuries. It is to be noted also that Allah is, in good oriental style, a "god of war," for the gates of Paradise were more than ajar for those who died fighting for the faith. Whether designedly or not, no doubt polygamy<sup>17</sup> and prohibition, by turning out more and better soldiers, tended to imperial expansion, especially since Paradise with its hosts of beautiful maiden entertainers ever beckoned the martyred crusaders to eternal bliss.

Whatever of splendid idealism Mohammed's teachings may have gathered from Moses, Zoroaster, or Jesus, they seem to have contained elements of more direct appeal to his fellows than did the teachings of his illustrious predecessors. Jesus' disciples, for instance, could never understand the full import of His teachings; His kingdom was not of this world. But plainly Mohammed was more compromising with this mundane sphere. We shall observe later how great a factor was pillage in this divine business of conquest. It had taken Mecca by A.D. 630, and by 632 the desert hordes had brought the most of Arabia under Islam, which means submission to God. Mohammed started his crusade for Allah by an appeal to conscience but when the need arose a new revelation conveniently countenanced force which the Prophet himself came to use as the leader of crusading troops. When success came his imperial horizon broadened. With Arabia in his hands he sent messages to neighboring monarchs asking submission to Allah.

We shall not here relate the account of anarchy following the death of Mohammed (632) or any detail of subsequent Arab conquests under his successors. Suffice it to say that by the middle of the seventh century the Sassanid control in the Two Rivers country and beyond had been destroyed, and by the middle of the eighth century the Ommiads ruled in three continents. Their capital, now moved to Damascus, held imperial sway from Gascony far into the Sahara; from Turkestan to the Indian Ocean, and from the Atlantic to the Ganges. In the midst of this vast empire, the largest of history, lay Iraq, rich in nature's gifts and in the buried ruins and traditions of the world's best civilizations—a lodestar for the seat of power.

### *Internal Strife and Schism*

As a background for the great schism between the Shiites and Sunnites which later was to bring endless conflict in the civil life of Iraq,

17. The Prophet took to himself eleven lawful wives but limited his followers to four (Cash, *op. cit.*, p. 28).

it is well to get something of the details concerning the struggle over the caliphate.

It was one thing to conquer but quite a different thing to hold, organize, and govern the diverse social elements being brought within the compass of the Arab expansion. There was the ever present tendency to internal strife from the Arab character itself. Mohammed's failure to provide for a successor was a third factor in this situation of insecurity.

Abu-Bekr had been caliph following the Prophet's death, then came Omar, and thereafter Othman. The latter had been supported by the Ommiad patricians of Mecca but was assassinated (656) on suspicion of his favoring the Ommiads as his successors. Then Ali, the son-in-law and adopted son of Mohammed, was elected to the office of caliph, but making no attempt to punish the assassins of his predecessor, he was accused of being an accomplice and a civil war followed. The strife was complicated by the fact that Aisheh, the Prophet's youngest widow and the daughter of Abu-Bekr, took the side against Ali. After Ali had gone east in search of more support he was able to defeat his opponents in the "battle of the camel" just outside Basra. Thus having won the southern half of the Tigris-Euphrates Valley he made his home at Kufa near the middle Euphrates. Then followed an intense struggle between the Ommiads, representing Syria, and the supporters of Ali, representing Mesopotamia. Attempt at arbitration resulted in Ali's refusal to accept a decision which went against him. The latter's brief control, chiefly in Persia and Mesopotamia, was abruptly ended by his assassination (661) in the cathedral mosque at Kufa. The Ommiads were left secure in Damascus.

Ali's two sons were of little consequence, though one of them, Hosein, came to Mesopotamia in an effort to take up his father's cause. But his little band was surrounded at Kerbela, near Kufa, where he, too, was slain (680). These two cities, especially Kerbela, a local "Mecca," became the leading sacred cities for the devotees of Ali and his house, i.e., of the Shiites (Schismatics). Hence, as Christendom in the West had its great schism, so Islam had hers.

It is evident that a large element of racial and national difference aggravated this religious dissidence. The Persians had been overthrown by the Arabs. A split in the Islamic governmental ranks would be soothing to the wounded pride of the fallen Persian. The cause of the schismatic Shiah furnished them an opportunity. But the followers of Ali in seeking eastern support must yield to the Persian mind, which

was more philosophical than that of the matter-of-fact Arab. The Persian mind was also, in a pronounced measure, mystical. The hopelessness for a political future for Ali's followers at the same time drove them "more and more into the field of spiritual consolation." These heretical Shiah dominate in numbers in Iraq today, though the orthodox Sunnis are in control. Persia herself became Shiah.

### *Mesopotamian Conquest of Islamic Control*

The Ommiad control was, however, not to last. Theirs was the most extensive empire of history in spite of the fact that we hear more of the empires of Alexander and of the Cæsars. It was the last empire approaching an all-inclusive control of the civilized world. But the problem of unity was deeply involved in the elements of diversity, complexity, and the desert Arabs' well-nigh incurable penchant for personal freedom. Islamic appeal to the spirit of conquest had been irresistible. What Allah's heaven could not do by enticement for a dead crusader was attempted by the horrors of hell. As a stimulus for fighting in hot Syria Mohammed said, "If the heat of summer is scorching, the fires of hell will burn even more."<sup>18</sup> We have already referred to the Bedouin's share in the conqueror's loot. Others continued the Prophet's example in sharing with the faithful the surplus revenues of the state. This went more especially to the near kin of Mohammed, to those yielding to ready conversion, to those rendering service, and to those with special knowledge of the Koran.<sup>19</sup> This stream of wealth was steadily augmented as the conquest widened. Here had been, no doubt, mainly the inspiration which transformed the Bedouin, as if by magic, into the crusader bent upon an "Islamization" of the world. The expansion of Islam was for the Bedouin something of a prolonged migration to ungrazed pastures. But the desert hunger for loot was, for the time, sated and the proselyting spirit waned in fatigue.

Dissension in the ranks of the Ommiads was thus enhanced. Damascus was no longer a suitable capital. The eastward drive for empire and Islam looked to Persia. But Islam must remain Mohammedan and so the leadership fell to the descendants of Abbas, the Prophet's uncle. The Abbassids, as candidates for the caliphate, had profited by the struggle between the Ommiads and the Alids. They had even used the latter, and the Persians as well, as means to power. They had fought the Ommiads in Khorasan, to the northeast, at Kufa, and about Mosul, where victory came in a two days' battle (750).

18. Quoted in Emile Dermenghem, *The Life of Mahomet*, p. 326.

19. Hell, *op. cit.*, p. 45.

It is seen, of course, that this was a Persian victory. Even Merwan, the last of the Ommiads, seeing the signs of the times, had, in his attempt to keep power against others of that dynasty, taken his capital to Harran in Mesopotamia, where more support was at hand.

Non-Asiatic portions of the empire, except Egypt which went to the sympathetic Fatimites (adherents of Fatima, daughter of Mohammed), now fell away, one of the Ommiads having escaped to set up the independent emirate of Cordova. The Abbassid dynasty settled itself for a career on the Tigris (750). So again the land of the Two Rivers became the seat of imperial power. This time it was to attain a grandeur the like of which the world had never seen. It is this greatness back to which the Iraqis now point as a hope and pledge of their own future self-control.

### *The Greatness of Bagdad*

Mansur, the second of the Abbassid line, built the new capital city, Bagdad, between 762 and 766. There they were to rule as caliphs till 1258. In the construction of this round city with its double walls, it is said, a hundred thousand men were employed. Resistance to the Abbassid régime was from time to time put down with great severity. The main concerns of the new state were now the defense of frontiers, the consolidation of conquest, and the development of a civilization in and about Bagdad.

Though there was an extensive immigration of Arabian tribes to Mesopotamia during and after the Ommiad conquests,<sup>20</sup> the culture now to develop here was doubtless mainly under Persian influence. The thousand years of Persian world contacts and experience were to be an asset to the new régime. It is noteworthy that the Arab on his first arrival at Ctesiphon, the Persian capital (originally built by the Parthians), called that city "Mad-a'in," meaning the "city-complex." In such an atmosphere Arabian simplicity was destined, itself, to become complex. Persian oriental mysticism decidedly tempered the materialism of the Arab. The gates of Paradise which had opened wide for the first militant crusaders of Islam now invited the trader, the traveling student, and the scientist. This Saracenic culture was one of peace, commerce, travel, science, literature and art.

While Cordova may in some respects, have excelled Bagdad in her cultural finesse, she was in general always secondary, a provincial as against a world empire's metropolis. The old Ommiad capital at

20. *Cambridge Medieval History*, Vol. II, *The Rise of the Saracens*, pp. 331-2.

Damascus easily yielded first place to Bagdad. In many ways Constantinople was her second in learning. In commerce, wealth, and cosmopolitan diversity the world had never seen the equal of Bagdad. For near a half-millennium in the Middle Ages Bagdad was second to no city in population, wealth, influence and intellectual achievement.

Her commerce extended from Spain and Africa to the Far East. "There is no reason to believe that before A.D. 700 (and perhaps even before Mohammed) Arab merchants were already established in Ceylon and their trading colonies thickly scattered at a very early date along the Malabar coast." They pillaged and burned Canton in 758 and doubtless traded there a half-century earlier.<sup>21</sup> These merchants were probably the first to appreciate the size of Asia.

It is out of this city that we get the tales of the *Thousand Nights and a Night*. These tales, though a new type of literature, are accepted as being essentially true in revealing much of the social, commercial, and travel life of the Abbassid age, the Golden Age of the Saracenic civilization. Sinbad's travels, on one occasion, took him from Basra eastward through many strange islands, as well as among strange and monstrous creatures. Finally in his eastward course he reached Wak-Wak (presumably Japan). Then he is at the "Spice Islands," later in Zanzibar, and later still in the "Valley of Diamonds" in India.<sup>22</sup> These were typical of many a distant adventure of Sinbad and his fellow merchants. In the markets of this world emporium were to be found the porcelain, silks, lacquer, and tea of China; spices, drugs, pearls and precious stones from India and the islands of the Indian Ocean; black slaves, ivory and gold-dust from Africa; white slaves, honey, wax, and furs from Scandinavia, etc. Arabic coins have been dug up all over Europe including Sweden and Russia. A single find at Mainz included fifteen thousand coins.<sup>23</sup>

But science was equally as active as commerce. Chemistry, pharmacy, medicine, surgery, botany and general biology, mathematics and many other sciences flourished and were widely used in the practical life of the time, especially in agriculture. Astronomical tables were made; the almanac was started; the calendar was reformed; many Greek words were translated into Arabic; dictionaries and encyclopedias were produced. For the first time, fossils were carefully examined. Geog-

21. C. Raymond Beazley, *The Dawn of Modern Geography*, I, 398.

22. *Ibid.*, pp. 440-2.

23. D. C. Munro, *The Middle Ages*, p. 218; see also *Cambridge Medieval History*, Vol. III, *Germany and the Western Empire*, p. 333.



raphy and history attained considerable interest. "Intellectual interests widened until men of letters left no subject untouched."<sup>24</sup>

Bagdad, now the "eye of Islam," is said, during the reign of Harun-ar-Rashid (786-809), a hero of the *Thousand Nights and a Night*, to have been a "city of palaces and offices, hotels and pavilions, mosques and colleges, kiosks and squares, bazaars and markets, pleasure grounds and orchards."<sup>25</sup>

Emphasis on agriculture in Iraq at this time was surprising. There was much introducing and experimenting with plants often brought from far away. There was produced a literature on fertilization, on irrigation, on grafting, on plant disease and on insect pests. Rice, sugar cane, oranges, apricots, peaches, lemons, silkworms and the mulberry tree, papyrus, bananas, were all introduced along with other fruits and plants.

### *A World Culture*

It has been said that the Arabs themselves should have little credit for the finer things of this Golden Age of Islam. Agriculture, it is claimed, was chiefly in the hands of non-Arabs; the same was true of the industries; the mechanics had come from Constantinople; the great literary output was from the Persians; and the science was the product of the Hellenistic Greeks. In such a complex of nationalities the cultural achievements, in fact, must have come from a variety of sources. But there can be little doubt that the Arabs had created the religious emotion and the political situation necessary to the possibilities of these achievements. The material support essential to such a cultural output must also have come mainly from Arabs. There can be no doubt of their mercantile ability and of the great commercial rôle played by them throughout this period. The Arab dynasty, "officially and privately, stood out for culture and enlightenment; tending, nursing, patronizing, learning and thought generally."<sup>26</sup> Other nationalities must have lived intimately with the Arabs. It was through the Arabic language that the entire output was made and in an atmosphere remarkable in certain respects for its freedom of thought and action. The Arabs had at least created a craving for knowledge and had kindled afresh the dormant and unproductive minds of others.

It should be noted in this connection that Moslem tolerance was very marked. In spite of the cruelties and looting incident to military

24. *Cambridge Medieval History*, Vol. III, *Germany and the Western Empire*, p. 294.

25. Introduction of Sir Richard F. Burton, ed., *The Arabian Nights*.

26. Hell, *op. cit.*, pp. 80-1.

campaigns, there was a remarkable degree of tolerance toward Jews and Christians. Mohammed in the Koran made this emphatic. Omar upon entering Jerusalem forbade harm to Christians, a consideration not reciprocated by Christian crusaders at a later date. The English historian Robertson said, "Mahomet's partisans are the only enthusiasts who have ever united a spirit of tolerance with the zeal of proselytism."<sup>27</sup> Islam's freedom from puritanism and its tendency to be something of a natural religion of man seem to be fundamental in its spirit of tolerance. In Bagdad heresy came to be more popular than orthodoxy and truth was valued for its own worth. Islam furnished an emotion, gave an opportunity for the release of human spirit, and on a level practicable for the time, the place, and the people. Considering the background of the Arab, with his wider semitic heritage, and all the diverse elements which he brought together and advanced at Bagdad, during the five centuries of his dominance there (750-1258), we must conclude that this city produced a world culture from the standpoints of its sources and its outlook.

In this environment evolved a unique spiritual conception. While Arabian Islam had taught belief in eternal life for the individual, at Bagdad, under the influence of Persian mystical Islam and the cosmic ideas of the time, there developed the conception that eternal life was not individual but corporate. This would seem to be something in addition to Hebraic monotheism and human brotherhood which got notable contributions from this area. Out of this Persian-Arabic-Islamic culture compounded of its unprecedented range of cosmopolitan elements emerges a conception approximating that of corporate human destiny. The mandatory system here coming to modern Iraq, the subsequent additions to the idea of a world economy, and our current drift towards an even more general sense of the essential unity of things human would seem to be by no means unrelated to ideas entertained about Bagdad in this age of her supreme human outlook.

### *Deterioration*

There is another side to this civilization at Bagdad. In spite of all its excellence there were fundamental weaknesses. Tribute fell into the lap of the caliph from subject lands in a veritable stream of gold. Much of it went to courtiers and highly paid officials. Luxury in true oriental style came to sap the economic and moral life of the ruling classes. Wines and many another beverage, forbidden by the Prophet of the

27. Quoted in Emile Dermenghem, *op. cit.*, note, p. 331.

dry western desert, were concocted, cooled by snow from the mountains, and indulged in by the wealthy and others as well. Lavish spending, voluptuous living, the weakening of vigor and blunting of powers of leading men in harem and otherwise, helped to hasten the decline of political power.<sup>28</sup>

But there were other factors in this decline. The absolute power and the luxuriant life of the caliph made his office attractive.<sup>29</sup> Rivalries, intrigue, and bitter political strife resulted at one time in three living ex-caliphs. But the prestige of the caliph, and of the city itself, persisted. Bagdad and the empire did not fall. There was a long period of decline and dissolution, as with the imperial power on the Tiber. As the centuries passed many an independent local prince or sultan felt safe only with the final approval of this oriental pontiff on the Tigris. But more and more Arabs were removed from whatever position of responsibility they had held, and foreigners, Turks as well as Persians, were put in their places. Turkish troops were more and more in evidence and the frequent rebellions were put down with an increasing severity. Religious bitterness grew with intolerance. Near the middle of the tenth century a Persian sultan ruled in Bagdad and about a century later came the Seljuk Turks, the caliph maintaining, meanwhile, a greatly abbreviated authority. The Turks, having conquered the greater part of Persia, assumed control in Upper Mesopotamia, accepted the Moslem faith, threw their weight to the orthodox (Sunni) side, and bolstered up the later years of the Abbassid caliphate.

### *Foreign Interference, Confusion, Destruction*

Deterioration and division within invited foreign interference. Iraq was again a stage for the play of world military forces. This time they came from both a more distant East and a more distant West. But here we have reached the dawn of modern times with its greater universalization of forces and interests. Under the new lease of power to the caliph by the support of the Seljuk, the Islamic pontiff sought a restoration of his old-time supremacy. Seeing, however, the remnant of Persian control in his way the ambitious caliph thought it clever to accept help from the rising Mongol power farther to the East. The weakness of Persia, the wealth and fame of Bagdad, and the fruited plains between the Two Rivers, even without invitation, would have

28. D. C. Munro, *op. cit.*, pp. 224-6.

29. In the time of Harun-ar-Rashid the annual revenue was £21,000,000. A century later (tenth century), it had fallen to a twentieth of that sum (*Cambridge Medieval History*, Vol. III, *Germany and the Western Empire*, p. 151, note).

seemed fair treasure-trove to a Mongol horde. So Hulagu, the grandson of Jenghiz Khan, in 1258, stood at the gates of Bagdad demanding more than he was offered. For four days he turned over the captured city to the "murderous pleasure of his troops." What sword and pillage could not do flames completed, and the city of the Arabian Nights, five centuries in the building, went down in ruins. But this destructive invasion from the East had been made possible, in no small part, by the crusades of western Christendom against Islam. For nearly two centuries the crusading waves of Christendom beat against Islam, as they did, also, against the Byzantine empire and the Arabian political power, both bulwarks against the westward advance of the Mongols. Thus again the Middle East, including Iraq, was the battleground of world forces, for, as seen in the kaleidoscopic view, it was their collision which destroyed Bagdad. East and West had met here in many a historic encounter. Here they had builded and here they had destroyed through the ages. But the field of action had ever widened into a greater complexity of interests.

Before leaving this wider world view of Iraq it is well to note that France, especially, the leading crusading state from the West, had initiated the first movement in what was later to be a general convergence of modern European states towards the Middle East. France, as she now claims, got hold during the Crusades not only of Palestine and important Syrian coastal points, but also much of Syria, and extended her conquests into Mesopotamia beyond the Euphrates.

The Arab and Iraqi now point with pride to their common heritage in the great Islamic culture, a culture made of world elements and finally destroyed by world forces, as had come all preceding social construction and destruction in that quarter. The recent Arab national renaissance is now being made possible in Iraq by a still wider play of world influences producing the mandatory system.

### *The Iraqi*

The Iraqi is fundamentally Arab and Moslem. However much advancement may have become the possession of the Arab-Iraqi during the Saracenic Golden Age he was to lose it in the centuries following the invasions of Seljuk Turks, Frank, Mongol, and Ottoman Turks.

Bagdad had been restored in part following the first Mongol invasion, but there followed a long period of alternating masters as Mongol and Persian bandied the erstwhile world metropolis back and forth. Before the end of the fourteenth century a second Mongol invasion

under Timur (Tamerlane) conquered a vast area about Bagdad. As for the office of caliph, a shadow of it had gone to Cairo with a member of the Abbassid dynasty who had escaped the assassinations of Hulagu. In 1534 Bagdad was taken by Suleiman the Magnificent, who determined the approximate bounds of modern Mesopotamia and Persia, and the ill-fated Bagdad became a mere Ottoman Turkish outpost of frontier defense. When the Ottoman Turks took Cairo (1517) they completed their assumption of the caliphate and kept it until the day of Kemal Pasha. Then with the trade, the cities, and the irrigation system of Iraq destroyed, the land of the Two Rivers returned mainly to marsh land and desert, while the people again became largely Bedouin or marsh-dweller.

For near seven centuries now the Arab-Iraqi has been under the iron heel of peoples doubtless in no way superior save in military power. The result is that this cradle of the race, this culture crucible of yore, is strangely again "a land of untapped resources," and seven-eighths of its people are under tribal rule recognized by the civil government of the other eighth. The great mass of the people still subsist on the flesh and milk of the herd. To the desert diet of milk from mare, camel, sheep, and goat, the marsh Iraqi adds the milk of the marsh buffalo. Not only are they still the traditional men of tent and herd, but also of feud and foray. The migration of tribes for ungrazed pastures still confounds the governing one-eighth of Iraq as it seeks to reduce its Bedouin hosts to settled life. To many these hosts seem fairly unassimilable to a settled life.

But the self-contained Nordic may well recall that most of his vaunted advance has been made while the Arab has been under the dominance of others, mainly his inferiors. Of Arab and Nordic ten centuries ago, the latter suffers greatly by comparison. And the medieval Renaissance which brought stimulus and opportunity to the Nordic was in no small measure an Arabian contribution.

The Iraqi is a hybrid; though probably essentially Arab he doubtless carries a considerable element of Persian, Kurdish, Armenian and older bloods. But social science has concluded that a people is largely the product of environmental conditions, including social as well as geographical conditions. We may conclude then that the Arab-Iraqi characteristics here outlined are the outgrowth of influences from a desert habitat and a social environment imposed by an inferior people from without.

We have seen many splendid Arabian qualities which, it must be admitted, belong to the inherent stamina of the race. A new and more

wholesome situation, as in Iraq under the new régime, eventually may bring decidedly improved characteristics. Among their leaders today there is a pronounced renaissance of national sentiment and expression. Their easy-going past has left them, not a race of "nerves" as are the westerners, but a race of reserve power, and freshness for possible cultural hurdles ahead.

The Turk is gone. Great Britain's unparalleled colonial experience with backward peoples has been put at their disposal while the Permanent Mandates Commission has presumably kept watch in the name of humanity. If the Arab-Iraqi fails now his new guardians must share the responsibility.

## Chapter Three

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# EUROPEAN CONVERGENCE AND AMERICAN RESCUE

THE ESTABLISHMENT of a League of Nations mandate in Iraq represents the institutionalization of a western idea. It came, however, as one of the climaxes in the play of world influences. But now the world had greatly widened with the expansion of civilization. And the European nation-state had appeared as a new and dominant factor. Rivalry among these new and self-conscious western communities came eventually to converge their conflicting interests upon the Near and Middle East. Here came a deep-seated cause of the World War. And out of the complexity of forces involved therein, and in the peacemaking thereafter, emerged the proposal for British trusteeship in Iraq.

We have seen that something, at least, of a semblance of world power had risen and fallen, in and about Iraq, with almost endless alternation. These communities had not only comprehended, during their several periods, the major portion of the civilized world, but their philosophies, religions, and governmental programs were expressive even of an all-inclusive humanity. We are now about to see the West make its contribution to the beginnings of a real world unity. We shall sketch these developments briefly.

### *The Rise of the Nation-State*

We have already referred to the efforts of the two great European states of ancient times, Greece and Rome, to extend their empires into Asia. The European states of the future were likewise destined to have their imperial histories in Asia, but they are a different kind of state.

As a result of Roman dissolution social control in Europe was reduced to its elemental factors. Out of the personal and feudal relationship thus set up evolved the nation-state. Europe came to be widely characterized by a group individualism in which the social units were generally compact racial and geographical units. These western com-

munities were distinctly frontier in character and thus became more and more democratic. With the evolution of democracy the compactness of these states, due generally to geographical and racial unity, came to be greatly enhanced by a patriotic devotion from their nationals. Thus was brought to the support of these social units a sacrificial defense and a pride of achievement unknown to ancient states.

The political laissez faire which reigned on the frontier was itself enhanced by the opportunities of the groups to compete for the exploitation of other outlying and unoccupied frontier areas beyond their own bounds.

This new state emerged into an age of open-sea navigation. The transcending of land and coastal barriers in communication and transportation was in itself a tremendous source of inspiration. It made the mind of the rising, influential, even hard-headed merchant and business man, as well as that of the philosopher and *littérateur*, soar in the contemplation of future prospects.

But the inspiration of this new West was by no means wholly indigenous. For centuries the continuity of human achievement and outlook had drifted westward from Babylonia and Egypt via the *Ægean*, Grecian, and Roman civilizations. Now the Renaissance of the West was to receive another stimulus.

There ran early into this fountainhead of western state-building and cultural advance a vitalizing confluent from the Arabian learning. The Arab could not take Constantinople, but his arms, followed by his culture, invaded Spain and there the Moor remained for nearly eight hundred years—representative, for a considerable part of that period, of the greatest civilization of the time. It would be no mere accident, if from the western Mediterranean and out of this background of the "fathers," should come forth virile and adventurous sons to enter upon new stages of world action. But if one Asiatic component in the world compound stimulated the new nation in Europe, another, the Turk, was confusing.

### *The Turk Enters Europe*

Long before Suleiman had given modern bounds to Mesopotamia the sons of Othman had established themselves in Asia Minor and then battered down the defenses at Constantinople (1453). After destroying the Cæsars of "Eternal Rome" they marched on with the centuries into Central Europe and threatened the Hapsburgs at the gates of Vienna (1683). In the meantime Europe, even England, trembled as the people thought and talked of the "Great Turk."



From two centers of European power came calls to unity against the infidel invader. But these two sources of power and authority, the Holy See and the Holy Roman Empire, were not in complete agreement. And besides, there was a schism in Christendom and the spirit of the new nationalism was everywhere. Soon came the Protestant Revolt, which carried the tendencies of individualism and disintegration still farther over a now thoroughly decentralized Europe. There was to be no more effective unity in Europe except around the idea of the nation. If combination against the Turk was to be achieved it must be one of nations, and national rivalries, at times, placed a Christian nation-state on the side of the infidel Turk. This fact indicated the rising ascendancy of a new social element out of the West. Here politics began to defy religion. The secular defied the spiritual.

In the race for leadership where the field was now broadened to world proportions England had certain distinct advantages. Aside from the Englishman himself these were mainly geological and geographical. They had determined his soil, his mineral wealth, and his climate. Navigation was expanding from the coastal stage to usage of the deep seas upon which the Englishman was destined to become supreme. Early in the sixteenth century he was on the Seven Seas. Individual and merchant adventurers here sought Cathay or the East Indies by routes to the northwest, to the south and through the Levant. "In the yeere of our Lord 1511, 1512 .... till the yeere 1534 divers tall ships of London .... had gone on ordinarie and usuall trade to Sicilia, Candie, Chio, and somewhiles to Cyprus, as also to Tripolis and Baruttie in Syria."<sup>1</sup> Later in the sixteenth century were chartered the Levant (Turkey) and the Muscovy companies and there followed the widespread location of consuls about the east end of the Mediterranean Sea. By the end of the century the Spanish Armada had been destroyed (1588) and the East India Company had been organized (1600).

The English, through the East India Company, and coöperating with the Persians, in 1622, took from the Portuguese, Ormuz (Ormuz) on the Persian Gulf. At the same time it was agreed that the East India Company should constantly keep two men-of-war in the gulf for the protection of shipping. This was apparently the first attempt by the English to establish political status in the gulf and get control of Persia and Mesopotamia. As the century advanced, English trade on the Red Sea developed no little from the eastern approach. Later England's interest in an overland route through Egypt was barred, for

1. Richard Hakluyt, *The Principal Navigations, Traffiques, and Discoveries of the English Nation*, V, 62.

the time, by French control in the eastern Mediterranean and by Turkish hostility to Christian trade in the Red Sea. Selfish rivalries of the Levant Company in the Mediterranean and the East India Company in the Indian Ocean prevented the largest development of English trade here during the eighteenth century. French alliance with the American colonies (1778) resulted in English seizure of Pondicherry and the end of the French Indian trade. And when Napoleon took Egypt (1798) the East India Company promptly established a permanent resident at Bagdad to counteract French influence there.

Napoleon had said to the French at the beginning of his career that if they meant "really to ruin England" they must make themselves "masters of Egypt." At more critical times later he sought the favor of the Turk, sent embassies to Persia, and made an alliance with Russia. Napoleon's behavior in this quarter reminds the student of the subsequent visits of the Kaiser to Turkey and Palestine, and his appeal to the Moslem.<sup>2</sup> But all the would-be builders of world states have likewise recognized the strategic value of this area.

The drive of the West for and through this quarter appears again with respect to the projection of new transportation lines to the East. When the Industrial Revolution had made its unprecedented factory output the avenues to foreign markets had to be correspondingly more direct and effective. Hence, in the 1830's, the English, after alternating in interest between an Egyptian canal to the Red Sea and an overland route to the Tigris and Euphrates, decided upon the latter. The steamers "Tigris" and "Euphrates," taken overland to the headwaters of these navigable streams were not successful, but interest persisted in continued surveys for many years. A Euphrates Valley railroad was projected later but was abandoned by Palmerston, 1857.

The Suez Canal was opened by the French, 1869, but her evil hour of 1871 and the spendthrift character of the ruler of Egypt gave opportunity to her formidable rival, who took it over soon thereafter. But the natural route by the Two Rivers did not lose its trade and imperial significance. Still somewhat more direct than by the Red Sea, the double valley had its own trade possibilities and was always subject to seizure by others.

Commercial expansion and imperial aspiration were increasingly busy with railway, telegraph, and telephone in the annihilation of land barriers and distances. This transcendent conquest of distance was soon to parallel old caravan routes with steel rails. The Trans-Siberian

2. Sir Arthur Willert, *Aspects of British Policy*, pp. 19-20.

Railway, completed 1905, and the later Trans-Caspian and Trans-Persian railways, largely took the place of the old northern route, as the Suez Canal had done for the southern.<sup>3</sup> It remained now for the third, the middle, that is, the Mesopotamian route, to be modernized. But thereby hangs a tale of tragedy.

### *The Bagdad Railway*

The British Bagdad railway that Palmerston abandoned in 1857 was to have started at Alexandretta and reach the Euphrates via Aleppo. Continuing to the Tigris at Bagdad it was to follow that river to Basra. Interest in this project declined for a while but Great Britain became in the meantime greatly concerned in the French construction of the Suez Canal, doing what she could to discourage it. But in 1872, at the suggestion of an Indian railway official, a special committee of the House of Commons, appointed for that purpose, gave careful consideration to the Euphrates Valley railway again, and they reported favorably, though nothing resulted. Three years later the khedive of Egypt needed money and sold his share in the canal to Great Britain. Thus again for the time she was content to let her interest in the Mesopotamian route lapse.

German interests in Turkish railway projects began soon after that country's defeat of France at Sedan. In 1871 a German private concern was interested in railway construction in European Turkey. The sultan used at this time a German engineer in the construction of a short line from Haidar Pasha, an Asiatic suburb of Constantinople, to Ismid. In 1893 a German syndicate completed the Anatolian railway, which extended the above short line three hundred miles to Angora. In 1896 a branch from this main line to Konia was likewise completed. Then a concession was granted to the German syndicate to extend the line to Kaisariyah and Diarbekr, on the Tigris, and on to Mosul and Bagdad. Russia objected and the project was abandoned for the time. The kaiser had visited Constantinople in 1888, and again in 1898. In the meantime the kaiser talked about Germany's future being on the sea and then telegraphed congratulations to Paul Kruger, who was making serious trouble for the world's greatest sea-power.

Railway building by private enterprise, and where it was greatly needed, was by itself innocent enough and was in fact to be highly commended. But complaint by the Russian government, and the kaiser's visits of state and his congratulations to royal personages here-

3. E. M. Earle, *Turkey, the Great Powers, and the Bagdad Railway*, p. 2.

tofore taboo in the élite circles of European potentates, and especially the latter, were of great significance in the realm of imperial politics. The kaiser did not stop here. He laid a wreath on the tomb of Saladin while at Damascus and proclaimed himself the protector of Moslems everywhere, about two hundred millions of them. And the British Empire contained many more Moslems than did the Ottoman Empire!

All this was worth a new railway concession, and it was unofficially announced in 1899. The new scheme was to join the Anatolian system at Konia, skirt along the Mediterranean to the southeast (as if far enough inland to avoid the reach of British sea guns) and on via Aleppo to Nisibin, to Mosul and Bagdad. The plan contemplated a terminal on the Persian Gulf. Official announcement of the scheme by the sultan, 1902, was hailed in Germany with enthusiasm. The new line abandoned the old northern route through Diarbekr and was to extend on to Basra. This would be less objectionable to Russia, being farther south, but it would be more objectionable to Great Britain and to France. But in 1903 a new arrangement was made, including an extension to Basra and numerous branch lines, making a total of some 2,375 miles—an exceedingly ambitious scheme, announcement of which caused no little excitement in Great Britain.<sup>4</sup> Those directly interested in the Bagdad scheme and the German government, as well, tried to induce British and French capital into that enterprise but political suspicion in both countries said that this was only German political strategy to cover her imperialistic designs at the capitalistic expense of competitors. Then followed the Entente Cordiale and the Anglo-Russian accord, and a period of great British activity in and about Mesopotamia. During the following years, especially 1909 and 1910, Great Britain, France, and Russia busied themselves with Turkish railway projects to counter the German scheme. All these projects converged upon the Persian Gulf. For a decade the French Deputies and the English House of Commons were the scenes of frequent and heated debate over this question of the Bagdad railway.

In this connection an Arab side-issue is worth mentioning. For many decades the Wahabi tribes of central Arabia had exhibited distinctive evidences of a national movement, which was disturbing to the Turks. Their own kinsmen in Egypt had already attained a measure of independence. They had seen the Balkan nationalities free themselves from the same overlord to which they had paid only a nominal allegiance. But there was, besides Ibn Saud, another, and a rival Arab power of

4. Morris Jastrow, *The War and the Bagdad Railway*, pp. 84-5.

importance, the amirate of Haïl, to the south and west of Mesopotamia. This latter power, under the dynasty of Ibn Rashid had recently, by the support of Turkey, greatly weakened the Wahabi kingdom (Nejd) under the dynasty of Ibn Saud. To the east of Ibn Rashid's territories lay those of the independent sheik of Koweit, whose lands the former coveted. The Germans wanted a terminal on the Persian Gulf and sought it through an understanding with Ibn Rashid. Turkey, too, might thereby secure more influence in the gulf region and build up a friendship against the Wahabi. So the normal imperial procedure ensued. A quarrel developed (1901) between the amir of Haïl (Ibn Rashid) and the sheik of Koweit (Mubarak), with Turkey supporting the former by troops. In the emergency, as the railway concession issue was at white heat, the sheik appealed to Great Britain for aid. Use of the Shatt-al-Arab, which had heretofore been exclusively reserved for the British, was, by the new understanding, to be opened to German ships. The British gunboat which prevented seizure of Koweit doubtless responded to the call without great hesitancy. It would have been a complement to normal imperial procedure if the sheik's call had been inspired, but the record is silent on this point. Soon, however, Great Britain announced that she would resist by all means at her disposal any attempt by another power to establish a naval base on the gulf. She made good the supposed independence of Koweit.

### *The Convergence upon the Turk*

For a generation there had been a general and distinctive European drift against the Turk. The Congress of Berlin (1878) allowed Austria-Hungary to establish her administration over Bosnia and Herzegovina. These territories were annexed by that power in 1908. It was mainly through the interference of Great Britain that Egypt secured her independence from Turkey. That power assumed a protectorate over Egypt at the opening of the war (1914). France had had a cultural interest in Syria for three hundred years and a gradually increasing material interest since 1860. She had taken over Tunis in 1881. Italy annexed Tripoli at the end of the Turco-Italian War, 1911. The rising Balkan states had recently made special additions to their respective domains at the expense of Turkey (Balkan Wars, 1912-13). These and even other advances against Turkey had taken place, more or less, through the active "concert of Europe" or by the acquiescence of the powers. So, if there was an Austro-German *Drang nach Osten*, there was also a general convergence in the same direction.

As we have observed, the European nation-state grew out of localism; it was a contender for power over similar and rival groups; it was self-conscious, sensitive and highly emotional for its own supposed self-interest. Instead of being thought of as a mere instrument of human betterment it came to be thought of as worth while per se. A rampant nationalism and fervid patriotism thus stood athwart the path of progress. The Bagdad railway would have restored and modernized an avenue of trade proved by many peoples throughout the ages. But nationalistic exclusiveness as a sort of social "dog in the manger" would not have it so. For private concerns projected in foreign lands had a way of becoming the concerns of states, and this one involved the conflicting interests of the two most powerful competitors of all the nation-empires of the West. This exclusive interpretation of nationalistic rights is well expressed by a Britisher in his account of a journey along the route of the Bagdad railway, 1909. After noting the interests of Turkey and Germany in this project he says that Great Britain is interested "... because a great rival is penetrating into our commercial preserves and establishing herself over against a possession [India] which all the world envies us."<sup>5</sup> "The railway became the spectre of the twentieth century. It was a spectre that always appeared armed 'from top to toe' and when occasionally he 'wore his beaver up,' the face was that of a grim, determined warrior."<sup>6</sup>

A psychological sentimentalism for the nation and a national sense of insecurity have, during the centuries of the commercial and the industrial revolutions, made of the nation a patron of economic imperialism. "Generally speaking, however, this economic imperialism is usually exaggerated as one of the underlying causes of the war. It is often said, for instance, that the industrial development of Germany, and the jealousy with which it was regarded in England, made a war between these two countries 'inevitable' sooner or later. This, however, is an unsound view. ... if one reads the diplomatic correspondence of the years before the war, one is struck by the relatively slight importance which is given to these economic rivalries which haunt so largely the mind of the average business man and newspaper editor. It is not so much questions of economic rivalry as those of prestige, boundaries, armies, and navies, the balance of power, and the possible shiftings in the system of alliances, which provoke reams of diplomatic correspondence and raise the temperature in foreign offices to the danger

5. David Fraser, *The Short Cut to India*, p. 319.

6. Morris Jastrow, *op. cit.*, p. 9.

point."<sup>7</sup> Concerning the Bagdad railway as an important cause of the war, it is the political significance, not its economic significance per se, that must be kept in mind. Negotiations between the powers relative to their purely economic interests in the Near and Middle East, including the Bagdad railway, had apparently been brought to a satisfactory conclusion and only lacked the final signatures when the Sarajevo assassination occurred.<sup>8</sup>

It was clearly evident that this new West had developed a politics and an economics which were incompatible. Individualism had made competitors of these two fields of human thought and interest. Even specialists and the academic subjects of these two fields contributed to the conflict. It was the failure to see the human problem *whole*. Hence came the war and the British military drive into the Middle East.

### *Military Occupation*

In the light of above events and tendencies, Turkey was destined to be one of the greatest stakes of the war. And as that conflict was to be fought mainly on the battlefields of Europe, Great Britain, of all the rivals in the Turkish sphere, would likely have the best opportunity to occupy this area. But she must avoid any precipitate action which might be interpreted as offensive to Islam. A war which could be represented as forced on Turkey might arouse the British Moslem millions to support of a *jihad* (holy war). But the Bagdad railway, with other forms of German penetration, plus the recent treaty between the two countries, would likely bring the Turk to the German side.

Whatever precaution seemed advisable in the matter of the Persian Gulf was left largely to the government of India, which was presumably sensitive to British imperial interests in that quarter. Of all British interests here the most immediate and vital seemed to be Great Britain's oil holdings, for which the First Lord of the Admiralty had not so long ago paid near two and a half millions sterling without first awaiting parliamentary approval.<sup>9</sup> There was now to be no supremacy of the seas without an oil-fired navy. Churchill's haste in consummating the deal reminds one of Disraeli's similar action in purchasing control of the Suez Canal. As a precaution to keeping the seaways open a protectorate over Egypt had already been set up. Now the operations of the Anglo-Persian Oil Company, whose pipeline came to Adadan Island at the head of the Persian Gulf, and whose

7. Sidney B. Fay, *The Origins of the World War*, I, 46.

8. *Ibid.*, p. 277; see also Coke, *op. cit.*, p. 137.

9. See chap. vii.

wells were in the Persian hinterland to the northeast, must, at all hazards, be kept going and even enlarged. In the early part of 1914 this pipeline had been doubled and the refineries at Adadan had been greatly increased. These refineries could be easily reached by Turkish troops from Basra.

As for British diplomatic relations at the approaches to Mesopotamia in 1914, Gertrude Bell, one of the best informed persons on this subject, says, "Our position with regard to the ruling Arab chiefs along its shores [Persian Gulf] had gradually been consolidated. We had entered into treaty relations with the sultan of Masqat, the shaikhs of the tracial coast and of the Island of Bahrain. Ibn Sa'ud, ruler of Najd, who in 1913 had pushed his way down to the sea, was anxious to obtain our recognition and support; the shaikh of Kuwait, always apprehensive of Ottoman encroachments, had been assured of our protection, and the shaikh of Muhammarah, Arab by race though a subject of Persia, looked to us for help in maintaining his position against sultan and shah alike."<sup>10</sup>

Reports of Turkish arms and soldiers arriving at Basra and of Turkish attempts "to seduce the pro-British sheikhs"<sup>11</sup> of the gulf area kept the British on edge. Fresh reports of attempts to detach Ibn Saud of Nejd and Shaikh Muhammarah (who held tribal sway in the old oil district) and of Turco-German missions from Bagdad to Persia, Afghanistan, and elsewhere, to preach the *jihad*, added to the anxiety.

The indefinite situation began to clear on October 29, 1914, when the Turkish cruisers "Goeben" and "Breslau" attacked Russian ports on the Black Sea. Allied ambassadors at Constantinople demanded their passports, October 30. Russia declared war on Turkey November 2 and on the fifth France and England followed suit. Immediately upon the latter date an Indian force of five thousand troops entered Turkish waters in the gulf. These troops, however, arrived at the island Bahrain, three hundred miles or so south of the Shatt-al-Arab, on October 23, where they had been, in the meantime, watchfully awaiting developments.

About a year later (November 2, 1915), Mr. Asquith, the Prime Minister, said in the House of Commons, "The object of sending a force . . . to Mesopotamia was to secure the neutrality of the Arabs,

10. *Review of the Civil Administration of Mesopotamia*, Parliamentary Papers, cmd. 1061 (1920), p. 1.

11. Major R. Evans, *A Brief Outline of the Campaign in Mesopotamia*, p. 15.



to safeguard our interests in the Persian Gulf, to protect the oil fields, and generally to maintain the authority of our flag in the East."<sup>12</sup>

British troops had little difficulty in defeating the Turks below Basra, which city they entered November 22. The Turks fled to Qurna and beyond, and there was some rejoicing among the Arabs. British prestige for the time ran high; the possibility of a Turco-Arab coalition was prevented; and the oil fields were saved. But what of going farther?

It was a long road to Bagdad. There was the desert wilderness and the river marsh covering most of the southern end of the famous valley for fifty miles east and west, and for two hundred miles northward as they looked towards their contemplated objective. The lack of a completed Bagdad railway weakened the Turk, but the British would have to construct their means of transportation and communication to the rear as they advanced northward. The country itself was almost void of resources. There would be hard campaigning ahead for disease lurked in river marsh, where also lurked the uncertain and stealthy Arab, and at the back of the hard-fighting Turk stood the German with his military technique and his terrible war machine. And what of the *jihad* proclaimed by the Turkish caliph at Constantinople? And what, also, of a possible Arab revolt against the Turk?

Across the desert by the Red Sea something hopeful was taking place. There was the Turkish vilayet of Hedjaz and therein were the two sacred cities of Mecca and Medina. The importance of this area had been recognized by the sultan's completion of the Hedjaz railway through Palestine to Medina in 1908. In this year Hussein succeeded to power in that Arabian district known as a sherifate. The Turks supported him for his pro-Turkish leanings. His four sons, Ali, Abdullah, Feisal, and Zeid, were sent to Constantinople for their modern education. But the father, Hussein, took care "to cure them of any Western softness. He sent them out into the desert in command of the sherifian troops that guarded the pilgrim road between Medina and Mecca, and kept them there for months at a time."<sup>13</sup> Feisal, with his father's support, in 1910, fought with Turkish forces against Arab rebels in southern Arabia. The same year found the sherif fighting against Ibn Saud of Nejd who, as we have seen, was anti-Turkish. But in 1913, Hussein shifted his position. The Turks had seemed to weaken and Ibn Saud was backed by the British. Because of this, or for other reasons, he turned against the Turk; opposed the Turkish extension of

12. *War Speeches by British Ministers, 1914-16*, p. 80.

13. Robert Graves, *Lawrence and the Arabian Adventure*, p. 66.

the Hedjaz railway to Mecca; and was said to have received and encouraged Syrian nationalists of the north.

Arab nationalist sentiment to which we have frequently referred was particularly active in Syria, which was nearest the European source. Young Turk opposition had driven the movement into the formation of secret societies which had by 1914 become numerous in the country. There was even a more radical secret organization of Arab officers in the Turkish army in Mesopotamia. While the Syrian group had looked to England, to Egypt, to Mecca, or even to the French for aid, the radical group from Iraq proposed to ask no aid from any foreigners lest thereby they might at best only exchange one master for another. Imprisonment and execution of Syrian nationalists had already characterized Turkish war policy.

Hussein faced a serious dilemma. In case of his revolt the insufficient desert food supply of his people would not get its necessary supplement if the Turk should close the Hedjaz railway from the north. Failing to revolt he would expect the sea routes, entering at Jiddah on the Red Sea, to be closed by the British. The *jihad* had been proclaimed at Constantinople, from which place came more than an invitation that there go forth from Mecca a similar call to the Arabs. Before taking such a fatal step, however, he was to hold "a secret meeting with a party of British officers on a deserted reef on the Red Sea coast near Mecca."<sup>14</sup> Here was presumably begun the understanding between Great Britain and Hussein, which was later advanced by correspondence with Sir H. McMahon,<sup>15</sup> British High Commissioner of Egypt, by which Great Britain, in return for sherifian revolt and war against the Turk, was to recognize the independence of the sherifian dynasty; to aid in liberating the Arabs from the Turks, including Mesopotamia; and to look favorably upon the recognition of an Arab caliphate with Hussein as caliph.<sup>16</sup> Bertram Thomas quotes from a British government offer to Hussein by correspondence proposing "to recognize and support the independence of the Arabs" in certain territories, including eastern Syria and Lower Mesopotamia. "When the situation admits Great Britain will give to the Arabs her advice, and will assist them to establish what may appear to be the most suitable form of government in these territories." But "it is understood that the Arabs" will "seek the advice and guidance of Great Britain only." As for the vilayets of Bagdad and Basra, "the Arabs will recognize that the

14. *Ibid.*, p. 71.

15. This correspondence with Hussein has not been published.

16. C. A. Hooper, *L'Iraq et le Société des Nations*, pp. 9-13.

established position and interests of Great Britain necessitate special measures of administrative control in order to secure these territories from foreign aggression, to promote the welfare of the local populations, and to safeguard our mutual economic interests."<sup>17</sup>

The great hazards facing Hussein and his family and the shrewdness which Feisal, an officer in the Turkish army at the time, showed in so controlling the situation as to have the revolt start at the proper time, and yet save himself, are marked features of the events which followed.

T. E. Lawrence, a unique character, became the British special agent to manage the revolt and advise Feisal, who was to lead the Arab troops. Thus was launched the coöperative campaign of Briton and Arab which resulted (1918) in the complete conquest of Palestine and Syria, including Damascus and Aleppo. The campaign ended with great distinction not only for General Allenby, leader of the British, but for Feisal as well. In addition to necessary army supplies there was a generous flow of British gold into the hands of the sherifian family. Thrones which Hussein himself might not be able to deliver were also forthcoming for royal sons.

The situation in the Hedjaz encouraged action towards Bagdad. And further moral impression upon the Arab was worth while since the British Empire was the greatest of Moslem communities. Now the trade and imperial interests of the British were in position to make a solid sweep from Gibraltar to Burma. In case of Allied victory the Ottoman territories would be partitioned. It would be highly important to be on hand at that crucial hour. As for the Arab, he yields generally to the dominant power, but dominance must be in evidence. "The Arab's sense is in his eyes." And while the traditional "muddling through" policy would wait upon the more general fortunes of war, a "late official eye witness in Mesopotamia" seemed to speak the British official and imperial mind when he said, "We wanted Bagdad. The city was an irresistible lodestar. It would be a set-off to Gallipoli. To hold it would save the wavering East. Persia, Afghanistan, the tribesmen on our frontier would settle down into amiable neutrality or friendship and the menace of internal disruption in India would be removed."<sup>18</sup>

The German military genius, technical skill, and organizing ability were made available to the Turks. In 1915 and 1916 large numbers of

17. *Alarms and Excursions in Arabia*, p. 66; see also Henry U. Hoeppli, *England im Nahen Osten*, p. 34.

18. Edmund Chandler, *The Long Road to Baghdad*, I, 2-3.

German staff officers were sent to Anatolia, Syria, and Mesopotamia. Turkish officers were put on the French and Russian fronts to learn how to fight in modern ways. Field Marshal Von der Goltz was sent as commander-in-chief in Mesopotamia.

We are interested here in the briefest outline of the hard campaign to Bagdad and Mosul.<sup>19</sup> Outwardly, at least, the first official intentions seem to have been merely defensive with Basra as their final objective. Sir Percy Cox with wide imperial experience and knowledge about the Persian Gulf came along with the Indian troops as political adviser. In a private telegram to the viceroy of India he advised an immediate advance upon Bagdad. The troops went forward on December 4 and reached Qurna on the ninth. Cutting of the pipeline in February by the Bowi tribe, apparently under the inspiration of a German agent, enhanced the movement northward. Other Indian troops were added to the march as political consolidation was attempted in the rear. The turbulent Bani Lam tribesmen and excessive "spills" of the Two Rivers with the consequent extension of marshes faced them in the spring campaign ahead.

General Nixon, in general command, ordered General Townshend to carry out operations. The latter's military entourage included, besides infantry, a flotilla of gunboats, batteries of field artillery on rafts, and field ambulances on special rafts. It was nicknamed "Townshend's regatta."<sup>20</sup>

The optimistic Nixon and the general staff in India are said to have hastened to the attack under "the apprehension that the Russians [operating to the northeast] would forestall the British in the occupation of Bagdad." Success was at first rapid and consistent in spite of swamp, mud, dust, flies, sickness, lack of roads, tribal interference, and summer heat [reaching at times 120° F.]. Kut was occupied September 30, 1915, with the Turkish troops moving on to Ctesiphon, the old Parthian capital, eighty miles to the northwest. Overconfident now of the invincibility of their arms, the British, moving on too hastily, were defeated at the latter place, almost in sight of Bagdad, by Halid Pasha. Townshend at once retreated to Kut (December 3, 1915) which was invested by his pursuers. In the meantime, attempt to relieve the beleaguered thousands by airplane failed. There likewise failed a secret mission by T. E. Lawrence, under direct orders from the London war

19. For more details see what seems a very sane brief account in Major R. Evans, *op. cit.*

20. *Ibid.*, p. 30.

office, to lift the siege by proffers of British gold to Turkish leaders.<sup>21</sup> In the meantime reinforcements reached the Turks, but in spite of valiant efforts British relief troops could not be had in time. On April 29, 1916, General Townshend surrendered his army of more than thirteen thousand after a heroic endurance of nearly five months.<sup>22</sup>

This tremendous disaster finished the breakdown of Nixon's health and cast a damper upon the whole project, but finally brought General Maude to the scene with more troops and a program of caution and ultimate triumph. Bagdad was taken March 11, 1917. In the meantime the Russians had been operating towards Mosul in joint endeavor but the Russian Revolution was soon to end their activities.

Now with the Bagdad objective (presumably political) reached, further strategic ends appeared desirable. Bagdad was not easily defended. Roads entered the city from all directions and by cutting the bunds the Tigris and Euphrates might flood the desert for miles about Bagdad. Hence General Maude began further conquests, but died, November 19, 1917, of cholera. However, the work of conquest moved on under other leadership. Two days before the armistice, Shergat, near the ancient city of Assur, was taken, and when the Armistice of Mudros was announced, November 1, 1918 (signed October 30), British troops were within twelve miles of Mosul. But they moved on and occupied the latter city under British interpretation of the armistice provisions giving the invader the right to occupy points strategically necessary to holding the area already conquered. Such interpretation of the armistice has been regarded as proof of British hankering for the Mosul territory.<sup>23</sup>

### *Rule of the West in Near and Middle East*

Thus the race of the deep sea established itself in the seats of the Abbassids. This political and secular colossus of the West now held in its grasp the shrines of the Hebrew, Christian, and Moslem worlds. British garrisons dotted the country from Cairo to the Caspian Sea. The whole Middle East was under a single power. It represented the culmination of British interests here which began four centuries earlier. A British exultant nationalist might now truthfully say that "... if our position in the gulf [Persian] was so favorable in 1914, it has been

21. Robert Graves, *op. cit.*, p. 85. See also Sir Arnold T. Wilson, *Loyalties: Mesopotamia*, pp. 97-100. The latter states that the offer was raised during negotiations from one million to two million pounds.

22. See Lloyd George's *War Memoirs*, Vol. II, chapter on "The Mesopotamia Muddle."

23. Hoepfli, *England Im Nahen Osten*, p. 42; also Harry N. Howard, *The Partition of Turkey*, p. 210.

infinitely strengthened by the break-up of the Ottoman, German, and Russian empires. The German *Drang Nach Osten* has been dammed back behind the western frontiers of Czecho-Slovakia and Yugo-Slavia; the nearest Turkish troops and officials to the gulf, instead of being at Basra, are now at Diarbekr, near the sources of the Tigris; and the British Empire has obtained a special political position in Persia, Central Arabia, and Mesopotamia to the exclusion of other foreign powers. ....<sup>24</sup>

### *Secret Diplomacy*

Though the war had its roots deep in the inadequacy of the nation-state, as formerly conceived, that conception was, in some respects at least, at its worst during the World War. Each nation threw its greatest weight into that particular part of the struggle which was supposed to touch its own most vital interests. Allied interests were seen whole only when individual national interests seemed to be otherwise unrealizable. Great Britain has been thought by some almost to have lost the war on the western front to save the Suez Canal and secure Mesopotamia.<sup>25</sup> Mr. Lloyd George, as we shall see later, defended his country against such insinuations. However, about a million men were used in the campaigns of Western Asia alone, and there were nearly a hundred thousand casualties in the Mesopotamian campaign, or almost as many as in the American army throughout the war. The war spirit as well as the peacemaking spirit of Great Britain regarding the Middle East seems fairly well represented by an editorial in the *New Statesman* of March 17, 1917, which said, "Whatever terms of peace we may want elsewhere, it is evident in the case of these approaches to the Persian Gulf and the Red Sea the British will have to seek certain annexations for very cogent strategic reasons."<sup>26</sup>

But this British interest was not to go unchallenged even though her efforts almost alone had won the area.<sup>27</sup> The old spirit of scramble for advantage here seems to have been more active during the war than before. It was of course known that if the Allies should win the war Turkey would be subject to partition, and that no one of the contestants for loot would get a share unless his demands were pressed to the limit of his resources. But for the necessity of harmony to win the war a break over Middle East spoils could hardly have been avoided.

24. *Manchester Guardian*, June 24, 1920, p. 5.

25. J. H. Davidson, "Political Strategy," *Nineteenth Century Magazine*, XCII, 701-5.

26. VIII, 556-7.

27. French forces to the amount of about seven thousand, and a much smaller Italian force had served in Palestine for political reasons only.

It was the secret treaties among the Allies, especially when viewed as having been made at times when there was so much pressure for harmony, which represented national imperialistic conflict at its very worst. It is doubtful if one could find in all history a more striking example of child's play with human fate than that presented in the scramble for Turkish territory. Ray Stannard Baker has put it, *multum in parvo*, in a map over the title, "How Turkey Was Carved by Six Secret Agreements." These agreements made the following dispositions: "The Franco-Russian agreement of March, 1915, gave Russia Constantinople. The Sazonov-Paleologue treaty of April 26, 1916, delimited the French and Russian shares in Asia. The Sykes-Picot treaty of May, 1916, divided what lay beyond between France and Great Britain.<sup>28</sup> The treaty of London, April 26, 1915, gave Italy the region of Adalia. The St. Jean de Maurienne agreement, completed in August, 1917, promised Italy Smyrna and the rest of the territory shown.<sup>29</sup> The Clemenceau-Lloyd George understanding of December, 1918, transferred Mosul to Great Britain, but left a dispute as to whether the new line should run east or west of Tadmar."<sup>30</sup>

### *America to the Rescue*

Such diplomacy had not anticipated that the United States would, on the Armistice Day, force the acceptance of the principle that "... the other nationalities (i.e. non-Turkish) which are now under Turkish rule should be assured an undoubted security of life and an absolutely unmolested opportunity of autonomous development."<sup>31</sup>

It was a tense scene when the Big Four met in secret conference in the Prime Minister's flat, Paris, March 20, 1919, to discuss these secret treaties.<sup>32</sup> Russia, of course was not represented and M. Orlando of Italy is not reported as saying anything. The issue was between Great Britain and France. And it is most interesting to note that now, with the common enemy defeated, Allied ranks were far less harmonious. The greatest contenders for power were now of course among the victors. The struggle between England and France had been on since the opening of the Hundred Years' War of the fourteenth century. Their temporary understanding after 1904 was forced by imperial

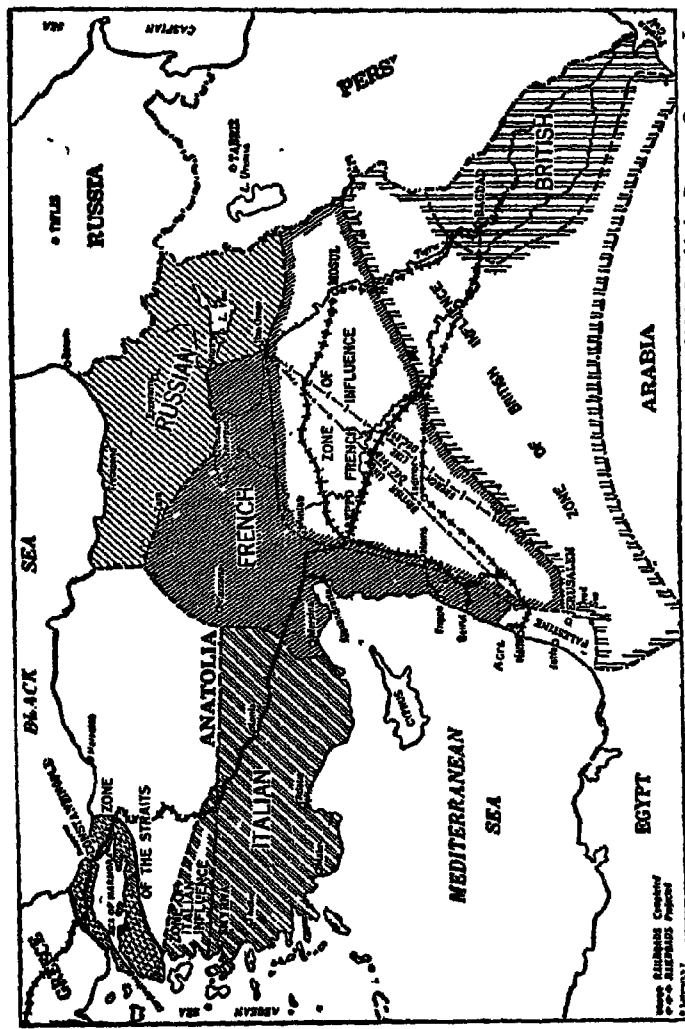
28. Hussein seems not to have learned of the terms of the Sykes-Picot agreement until they came to him via Russia in the latter part of 1917. See Hoepli, *op. cit.*, p. 38.

29. See map, p. 45.

30. *Woodrow Wilson and World Settlement*, I, 66. For an excellent account of these events, see Harry N. Howard, *The Partition of Turkey*.

31. Point Twelve in the Fourteen Points (Baker, *op. cit.*, III, 44).

32. *Ibid.*, pp. 1-19.



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# HOW TURKEY WAS CARVED BY SIX SECRET AGREEMENTS



Germany. They had faced each other in the Middle East for over two and a half centuries. This latter conflict was now revived and was not only serious in itself but it was the source of continual disaffection between the two powers in perfecting the peace with Germany after the armistice.

M. Pichon spoke for France at the secret conference. By use of a map he explained the territorial provisions of the Sykes-Picot treaty. He emphasized the fact that the treaty had sought two things: "(1) To favor the establishment of an Arab state or confederation of states and to detach the Arabs from Turkey; and (2) to decide between the claims of Great Britain and France." This agreement had been confirmed by exchange of notes between M. Paul Cambon and Sir Edward Grey. But since that time "there had been a long further correspondence and exchange of many notes between France and Great Britain" on this matter. He then referred to the "faction and the friction" which had developed in Syria owing to the facts of Great Britain's having many troops there and France's being able to send only a few. But of all the declarations made by the two governments in this regard he quoted only from that of November 9, 1918, which showed, as he believed, the disinterested attitude of both governments towards the Arabs. That declaration outlined the aims of the two governments as involving the complete and final liberation of the peoples so long oppressed by the Turks, and the establishment of national governments and administrations deriving their authority from the initiative and free choice of the native populations. To give effect to these intentions they "have agreed to encourage and assist the establishment of native governments and administrations in Syria and Mesopotamia." Mr. Lloyd George stated that this joint declaration was more important than all the old agreements.

Pichon then entered upon a recital of French interests of long standing in Syria. He referred to the loss of Mosul by France to Britain as a result of the recent visit of Clemenceau to Lloyd George in London. He saw further limitations of French interests in Syria as "absolutely indefensible in the Chamber."<sup>33</sup>

33. In 1917 there appeared in France a book by Émile Aublé entitled *Bagdad, Son Chemin de Fer, Son Importance, Son Avenir*, with an introduction by Edouard Herriot. The 168 pages of this book are so written as to arouse the commercial and patriotic interest of France in imperial control of this whole Near and Middle East area. Herriot, after considering German penetration here, hopefully saw the war as opening the whole situation again for readjustment (p. 6). Aublé can see much farther. "Nous le (le drapeau français) ferons flotter plus haut encore sous le beau ciel d'Orient, sur nos consulats, nos églises, nos établissements religieux et d'éducation, sur nos hôpitaux et nos universités," he says.

Lloyd George stated that his government had definitely decided "to have nothing to do with Syria" for "it would be said afterward in France that they had created disturbances in order to keep the French out." But he wanted it "remembered that the whole burden of the Syrian campaign had fallen upon Great Britain. The number of French troops taking part in the campaign had been so small as to make no difference. Sometimes they had been helpful, but not on all occasions. The British Empire and India had maintained from nine hundred thousand to one million men in Turkey and the Caucasus, casualties had amounted to one hundred twenty-five thousand, and the campaign had cost hundreds of millions of pounds." He himself had done his best to induce M. Clemenceau's predecessors to take part in the campaign. He had begged the French government to coöperate, and pointed out to them that it would enable them to occupy Syria. This had occurred in 1917 and 1918, at a time when the heaviest casualties in France also were being incurred by British troops. From that time onward most of the heavy and continuous fighting in France had been done by British troops. He referred to this in order to show that the reason the British had fought so hard in Palestine was not because they had not been fighting in France.

M. Pichon seemed to think that the British were departing from the 1916 agreement in other respects, as well as in respect to Mosul and Palestine. M. Pichon said that since the agreement of 1916, the whole mandatory system had been adopted. If a mandate were granted by the League of Nations over these territories, all that he asked was that France should have that part put aside for her.

Lloyd George said that this could not be done, that the League of Nations could not be used to put aside the British bargain with King Hussein. If France meant to occupy Damascus it would be a clear violation of the treaty with the Arabs. But M. Pichon said that France had no agreement with the Arab king, and when he persisted in denial of any French obligation to Hussein, Lloyd George again reminded him of the near-a-million men furnished by Great Britain against the Turks, and that *there would have been no question of Syria but for England*.<sup>34</sup> Besides, the Arabs had made invaluable contributions themselves and to this fact General Allenby was called to witness.

After further discussion of a like character President Wilson suggested that since Russia had dropped out of the 1916 agreement the whole thing was dissolved. As for the United States, she was indifferent

34. The italics are the author's.

to the claims of both contestants, but she was concerned as to whether the French would be agreeable to the Syrians. And the same principle applied to the British in Mesopotamia. He referred to the fact that in the Council of Ten resolutions had been adopted regarding mandatories and that one of the elements contained therein was *the desire of the mandated peoples*.<sup>35</sup> He saw that this question of Turkish mandates might become one involving the peace of the world. He had been told that if France insisted on occupying Damascus and Aleppo there would be instant war. He would be only delighted if France and Great Britain would assume the obligations of mandatories in Turkey. The United States wanted nothing there.

Lloyd George at this juncture seemed anxious that Wilson should question General Allenby as to the probable consequence of French occupation of Syria. The General's reply to Wilson's question on this point was that "there would be the strongest possible opposition by the whole of the Moslems, and especially by the Arabs." Allenby went on to say that Feisal was very determined in his stand against the French coming to Syria. The French officers did not get on well with the Arabs. He had done his best to create good feeling towards the French.<sup>36</sup> M. Picot (the French agent in Syria and Palestine) knew well the conditions and he would testify to the facts the General was giving. Allenby anticipated war if the French were given a mandate in Syria. Here Wilson suggested that the ablest men that could be found should be selected and sent as an "inter-Allied commission to go to Syria, extending their inquiries, if they led them beyond the confines of Syria. Their object should be to elucidate the state of opinion and the soil to be worked on by any mandatory. They should be asked to come back and tell the conference what they found with regard to these matters." He wanted an equal number of British, French, Italians and Americans on the commission. Clemenceau adhered in principle to Wilson's idea, but the commission should make inquiries in Palestine, Mesopotamia, and Armenia as well as in Syria. He wanted twenty-four hours' time to reflect before setting up the commission. He might want to send some French Arabs along. Feisal only represented one side of the Arab race. He was virtually a soldier of England. He tried to agree with President Wilson but "something must be said for the historical claims and for the efforts that nations

35. The italics are the author's.

36. "Augur" in *Fortnightly Review* (CXXVI, 55), says, "Our political officers in Syria worked with might and main against the French mandate. They were governed not by sympathies but by a clear understanding of the importance of a key position."

had made in different regions." Lloyd George had no objections to inquiry in Palestine and Mesopotamia where Great Britain was concerned. Balfour thought this would delay the peace-making. Wilson said this would not be true, for all that was necessary for the purposes of peace was to tell Turkey that she would have nothing. Lloyd George supposed that if the British Empire were ruled out of Mesopotamia she would be free to consider a mandate elsewhere in Turkey. Wilson replied that this was an *administrative matter, not one of sovereignty*.<sup>37</sup>

From this secret conference it is quite evident that there was a distinctly strained feeling between Great Britain and France.

In an evaluation of the above discussion one must remember that the mandatory system had already been adopted by the Council of Ten. It must also be remembered that the spirit of imperial aggrandizement had recently gone through a severe disciplining and chastening by the terrible experiences of the war. The discussions were marked, too, by the restraining influences of at least a vague general sense of a new human order of things and by a special sense of an obligation to the Fourteen Points and of the presence of their author who was still presumably representing the will of a very powerful America. When so considered it is evident that this secret conference revealed more than a recrudescence of that old stubborn national self-seeking. It was a case of very strained relations operating under powerful restraints. From another angle it represented a fundamental change in world affairs to see this far western power trying its hand at the solution of problems arising out of the East. American diplomacy was still in "shirtsleeves," from the technical European point of view, but it was here somewhat more erudite and cosmic in its view of human interests. The western president's ideas of the "consent of the governed" had been held out to the enticement of the Arabs by both Great Britain and France, but if he contemplated the application of any democratic scheme which would deprive these old contenders of their due spoils of war, then he simply must be "scotched," or else ignored. But one of the contenders must have recalled that it was a valuable checkmate to the other to make alliance with this western power even more than one and a quarter centuries ago, and the other doubtless pondered seriously the full significance of the very recent western demand for the "freedom of the seas." All this entered most profoundly into the grafting of the new mandatory conception to the old national conception of imperial exploitation.

As the chancelleries of the earth took counsel in this historical

37. The italics are the author's.

débâcle new conceptions forced themselves into comparative study with old. But nation-craft, with its lusty attendant, empire-craft, in their traditional rôle of diplomatic dominance and retaining their technique of force, could hardly be dislodged by argument. In its broader aspects the case was between the European West and the trans-Atlantic West. If America had ideals in this crisis she also had, in the background, the elements of material power.

This America had its roots in the social background of Europe, as Europe had its roots in the social background of the Orient. But America, with its diverse European population, and its European political system, mainly English, had come into its own political existence under circumstances designed to set up there a new order of society, somewhat more liberal and more cosmic in its viewpoint. And while she was nationalistic, she stood apart from European dynastic quarrels and the intense hatreds which characterized the European groups. She was more in the midst of the seas than was her distinguished ancestor, the English. She was out where West meets East, and where she saw the East from the other, the ocean, side. She stood, at least, for something of the results of culture's circumnavigation of the globe. From such a geographical position and from such a social heritage America thus had particular advantages for seeing the world dispassionately, and for seeing it whole. And it so happened that during the World War and at its end America had what has been called an idealist president. Whatever may be said as to whether Wilson fully represented at Paris what America stood for, he, at least, was himself American and without America's prestige and power he could not have "put over" the League of Nations—and in most of its essentials the League must be said to represent American principles. Whatever else may be said, it is everywhere admitted that the placing of the covenant of the League of Nations as article 1 in the Treaty of Versailles was the achievement of the American president. As for article 22 of the covenant, providing for the mandatory system, that was virtually the same in principle as the famous American Ordinance of 1787 in accordance with which more than a score and a half of new colonial communities had been set up, guided to self-government, and admitted on a basis of equality with their fellow states into the rising American federation. A dozen decades of such domestic experience could not fail to carry the same principle into American Philippine policy. There was even a nearer likeness between the mandatory idea and Wilson's own interpretation of this policy. And while the mandatory scheme which went into the covenant was first formulated by

General Smuts of South Africa, Wilson had already, while on his way to Paris, suggested such a scheme for the conquered territories.<sup>38</sup> Also the tremendous drive at Paris for annexations would very likely have brought final defeat to this whole scheme but for Wilson's determined insistence.<sup>39</sup>

In our next chapter we shall bring out other important facts in this connection. Here we have been concerned mainly in showing how an ever increasing western influence has come to dominate the interests and destinies of the Near and Middle East. And in this most recent stage of that dominance, America, in a favorable hour of idealistic leadership and national influence, wrote into world agreements this frontier principle of apprenticed statehood. Thus came back from the world's last frontier to this land of human origins a notable contribution of rescue from a threatened continuation of old wrongs.

38. David Hunter Miller, "The Origin of the Mandates System," *Foreign Affairs*, VI, 281.

39. Quincy Wright, "The United States and the Mandates," *Michigan Law Review* XXIII, 723-4.

## Chapter Four

# WESTERN CONTROL AND EASTERN REVOLT

IT IS EVIDENT that an unprecedented complexity of cultural elements and forces of social control were destined to enter into the make-up of the new régime about to be set up in Iraq. Upon her own inexhaustible treasures of a traditional past as old as human history were now imposed contributions from the whole wide world of control beyond. As for the Iraqis themselves, they were mainly only a simple, ignorant, and hybrid remnant faintly mindful of the dim glories of their distant past. But the iron heel of their seven-centuries-old bondage was now lifted as the result of world determinants at play in their midst. Their years of subordination had made them the intimate children of nature. In this condition the universal ground swell of individual and social freedom had aroused their dormant spirits. The Arab renaissance would likely resist not only Turkish, but western control as well. It had, in fact, already resisted French control in Syria, but lost. What would it do with British control in Iraq?

The British Resident in Bagdad wrote in his political diary for March of 1910 that "the universal Turkish system of administration is in almost every respect unsuitable to Iraq. The Turks themselves must recognize that it is a failure here. . . ., Iraq is not an integral part of the Ottoman Empire, but a foreign dependency, very much in the rough; and its government by sedentary officials according to minute regulations, framed at Constantinople for Western Turkey can never be satisfactory. I had no idea before coming to Baghdad of the extent to which Turkey is a country of red tape and blind and dumb officialdom, nor of the degree in which the Turkish position in Iraq is unsupported by physical force."<sup>1</sup> Few would hesitate to accept this view of the British official. Turkish methods would appear the more unsuit-

1. Quoted by Gertrude Bell in *Review of the Civil Administration of Mesopotamia*, cmd. 1061 (1920), p. 1.

able to a British foreign official because the methods of the latter are quite the opposite in kind. The genius of the British colonial system is that it is evolved out of conditions on the spot. The situation as outlined above was doubtless not very different when war came in 1914. To be sure certain ideas of liberty had percolated in from the state-making of the Balkans, from the Young Turk movement, and from Syrian nationalist sentiment, and some hope of economic improvement had been aroused by the development of railways and other investments of capital. But this bit of hopefulness only served to make the unrelenting Turkish régime the more depressing. Very likely by 1914 "it is not too much to say that the Mesopotamian wilayats of Basrah, Baghdad and Mosul had reached the limits of disorder consonant with the existence, even in name, of settled administration." It is said that "for years past British consular officials had been accustomed to receive embarrassing requests from local magnates and tribal chiefs that the British government should put an end to the intolerable chaos by assuming control of the country."<sup>2</sup>

We have seen above that the British had consolidated their diplomatic relations with the local powers of the Persian Gulf before the descent of their Indian troops in October, 1914. On the thirty-first of that month the British political resident issued a proclamation to the Arab rulers of the gulf region, and to their subjects, to the effect that Turkey had entered the war at the instigation of Germany, "to her own destruction, and that it seemed impossible to hope that the Ottoman Empire could be preserved."<sup>3</sup> But it was explained that those who had enjoyed the benevolent protection of Great Britain had nothing to fear for their liberty and religion. They should maintain order and not allow the foolish among them to do injury to British interests. They would thus emerge from their troubles stronger and freer than before. There followed a proclamation giving assurances as to the holy places. Sir Percy Cox who had come along with the troops from India, as the chief political officer, announced that the British government had no quarrel with the Arab inhabitants and that so long as they were friendly and did not harbor Turkish troops or go armed, there was nothing for them to fear. Neither they nor their property would be molested.

However, the vigorous and widespread appeal of the Turk to Moslem fanaticism by preaching a *jihad*<sup>4</sup> was not without some outward

2. *Ibid.*

3. *Ibid.*

4. Bertram Thomas, *op. cit.*, p. 25, note.



show of success. The prominent *mujtahids* (the religious Shiah leaders at Najaf and Kerbela) did what they could to arouse opposition to the English. The "tribesmen of the Euphrates and Tigris, excited, it is to be suspected, more by hopes of bloodless loot than by expectation of reward in another world, came flocking down the rivers to oppose our [British] advance up the Shatt-al-Arab—a wild and irresponsible horde which broke at the first onset."<sup>5</sup> But early in November the Anglo-Persian Oil Company's refinery at Abadan was under secure British protection and the first real objective was reached. From that time this industry "assumed for the rest of the war the rôle of purveyor of crude oil, kerosene and petrol to every branch of His Majesty's services."<sup>6</sup>

The fleeing tribesmen, with a liberal supply of cutthroats, fell upon Basra, looting customhouse and bazaars. Frantic appeals came to the oncoming British forces from the local British consul and from the magnates of the city. On November 24 Sir Percy Cox was able to announce that the Turkish administration was entirely gone; that the British flag now waved over the region; that in consequence, liberty prevailed as to religious and secular affairs; and that it only remained for the Arabs to be friendly as he had ordered like treatment of them by the British forces.

There lay before the invader the colossal task of creating a civil government. That, however, could come only gradually and could not be completed until the formal period of military occupation had ended. The ultimate form of that government had also to await the establishment of definite political relations between Great Britain and Iraq. But in the meantime, *pari passu* with the advance of the British army, certain civilian departments and the general skeleton of a civil régime were taking form.

Various and peculiar difficulties were encountered. In the first place, the Arabs exhibited every stage of development from wandering Bedouin to the settled cultivator of the soil. There were pure nomadic tribes who had never put their hands to the plough. Some were consumed wholly with the care of their palm gardens or their fields of corn and rice. Others combined the settled agricultural life with that of shepherd. When the winter rains came these latter tribes sent half their number into the desert pastures with the sheep. Then, in the marshes, especially in the lower Euphrates, were small groups, "as amphibious as their buffaloes," who lived by fishing and weaving their reed mats.<sup>7</sup>

5. Gertrude Bell, *op. cit.*

6. *Ibid.*, p. 3.

7. *Ibid.*

The general tendency to settle down to more or less permanent residency, with the rising value of the land, reduces one type of confusion but produces others incident to conflicts of land claims and to the increase of their numbers as compared with those of their hungrier and prouder brethren who neither plough nor harvest.

The Turk apparently had done little to encourage the settled life. He had ignored or defied Arab social traditions and insofar as he had established an ordered life at all, it was unsuited and unappealing to these sons of the desert. Instead of using the influence of the sheiks, the Turk sought to improve his own position by destroying those native elements of order existing among the tribes. They at times even played upon the hereditary enmities among these groups and upon the rivalries existing between members of ruling houses. The Turk had no capacity for using the customs of the tribes themselves.

In the second place, what little government had been maintained by the Turk could not, under the circumstances of war, be held intact and continued by the British to any great extent. As their army advanced, Turkish officials, save a few Arab subordinates, fled, taking with them the most recent documents and registers. At the same time British military officials were mainly employed otherwise than in civil matters. However, about the middle of January, 1915, Henry Dobbs, as revenue officer, came to Basra from the Indian government and overhauled such records as were left by the Turks. These were found mixed with masses of lumber on the floors of Turkish offices. They proved in most cases to be out of date. The records of most value were the registers of title deeds to land and registered documents. These were invaluable to landowners and to traders of the region. An effort was made to reestablish the Turkish régime in its main features and to recover old local officials. A large majority of officials under the new régime were Moslems, but the number of officials was kept at a minimum, whereas the Turkish régime was one of excessive officialdom.

In August, 1915, the army commander promulgated a code known as the *Iraq Occupied Territories Code*, based on Indian civil and criminal codes. It gave power to enforce any Indian law, though the introduction of amendment was allowed, as local conditions required. It was claimed that the courts now set up were so much better, so much more expeditious, than were those to which the people were accustomed that they pleased and amazed the natives. This code provided that any suit in which at least one party was Moslem should be referred to the Shar'a courts, which applied the sacred law. "The bulk of the criminal

work did not come into the courts. Serious cases were tried by military commissions, but there was a consensus of opinion that serious crime was remarkably rare, that which existed being mainly theft or robbery under arms."<sup>8</sup> The deputy military governors disposed of most of the criminal cases in Basra and Ashar while political officers did the same for the rural districts. Until after the capture of Bagdad (March, 1917), no courts were set up in the vilayet of Basra except in Basra town. The code just mentioned was not introduced into the other two vilayets, i.e., Bagdad and Mosul.

The Iraqis are represented as not being a litigious people. Some 10 per cent of their differences are settled by arbitration. The rôle of arbitrator is usually performed by leading citizens in the towns, frequently by merchants and landowners. When resort is had to court it seems that plaintiff and defendant, alike, generally admit the truth of each other's testimony. As for the non-city dweller, he had never used Turkish courts to any great extent, though great pressure had been used to this end. Out of the sanctions of tradition came the greatest power of social control. These are very effective because they have grown naturally out of social needs. Petitioners seek redress from the sheik as they sit around his coffee-hearth in the tent. His code is tribal custom, but as it is not written, it is susceptible of a flexibility pertinent to circumstances. The local *saiyid*, of much experience in arbitration, and said to be familiar with the ordinances of the Most High, enjoys a reputation of dealing out an even-handed justice remarkable for its natural appropriateness and its general acceptance.

The British in their uplift of backward peoples are at their best in a judicious selection and application of indigenous customs. It will be mainly in this that we shall expect them to be superior to the Turk. The Britisher as a colonizer has in the main tried to build upon what he found on the spot. This is the same social technique that he brought out of the woods of northern Europe into Britain in the fifth century. His own law and courts have always had the distinct characteristic of being self-developing, of having their springs of life in the environment. Their world contacts in colonization, empire, and trade have only served to extend their own original experiences in this regard. How natural then for the British official to recognize the system of local justice already in vogue in Iraq! It was the habit of the British military governors when hearing cases to call in the *muktars* (the head men of the town quarters), and have them take part in the proceedings, as it was also the custom of political officers to seek the

8. *Ibid.*, pp. 14-5.

opinions of the sheik of tribe and village. In conformity with the same practice there went into force in 1916 what was called the Tribal Disputes regulation. It provided that in cases of disputes where either party was a tribesman the political officer might refer them to a *majlis* (or tribal court) where decision would be reached according to tribal usage. Only in cases of manifest injustice did the political officer refuse to accept such decision. *The scheme was found to work well.* We shall see later that the ultimate purpose was to displace tribal custom by the more refined and elaborate British judicial system. But difficulties were ahead.

It was a long road to Bagdad and the fortunes of war were uncertain. General Townshend had to surrender at Kut in 1916 and the Allies had fallen at Gallipoli. Arab loyalty was not so difficult to obtain if one only knew who was going to win. Seven centuries of shifting masters had given the Arab almost an instinctive leaning towards the victor, regardless of obligation or other interests involved. Many Arabs, therefore, throughout the military campaign hesitated to give full support to the British, fearing that after all the Central Powers might be victorious. Many letters were written to the Central Powers couched in amicable terms while their authors maintained a friendly appearance to the British. Turco-German propaganda kept alive the belief that the Turk would yet come back. Many outlying tribes had to be taught their lessons of submission. "But the most thorny problem on the Euphrates at this time [1917] was," says Sir Percy Cox, "not so much the tribes as the Holy Cities of Islam, Karbala and Najaf. As in other cases on the lower Euphrates the sheiks of these towns, after their visits to me at Bagdad, had been sent back to their homes with pious instructions from me to maintain law and order themselves; and in order to strengthen their hands and give them some official recognition, small monthly allowances were provided for them; but *before many weeks .... it .... was working unsatisfactorily for both towns and for us .... the sheiks were found to be abusing their position .... ; while, worse still, the existence of a brisk trade in supplies to the enemy, both on the Iraq front and in Syria, was brought to light.*"<sup>9</sup>

In this same connection Gertrude Bell says, "The Ulama of Karbala and Najaf sent a telegram of congratulation to His Majesty the King who replied in acknowledging it that his desire was for the welfare of the people of Iraq, the preservation of its holy places and the restora-

9. Lady Bell, ed., *The Letters of Gertrude Bell*, II, 518.

tion of its ancient property. For the first few days after the capture of the city the office of the chief political officers was crowded with visitors of all degrees including the most distinguished Moslem families. Sir Percy Cox got on good terms with the Naquib of Baghdad with whom visits were exchanged."

As for the sheiks, there came first those "of the small neighboring tribes to pay their respects. Later they came from wide distances. All alike had been non-submissive to the .... Turkish government and few had been wont to visit Baghdad, where the more distant were scarcely known..... Some attempt had to be made to form a conception of whence these visitors came, what their relations were to one another, and what was their respective importance, a matter difficult to determine since each man gave himself out to be a potentate superior in all respects to his fellows. They were entertained at the guest house of the government, given small presents and robes of honor, and sent back with injunctions to keep the peace and busy themselves with their cultivation."<sup>10</sup>

There was a sense of great insecurity among the natives of Bagdad for over a year after the city was captured. Many, even of the best informed, believed that if the Central Powers did not win, the Allies could hope for no more than a stalemate. In that case they expected Iraq to be handed back to Turkey in exchange for the liberation of Belgium. Such rumors found their echo among the sheiks and caused even the best of British friends to waver or at least to wait upon events. It was not until the autumn of 1918 that confidence in Allied victory was fairly established.<sup>11</sup>

### *Shiah Versus Sunni*

We have already seen how the Shiahs as followers of Ali have long contended for Moslem control. It will be recalled, too, that they represent, in leadership anyway, a Persian influence. The most serious difficulty for Iraq in this regard is that while the Shiahs represent more or less of a foreign racial and political element of discord, the holy cities which constitute the center of the Shiah influence, are in the very heart of the land of the Two Rivers. These cities are Kerbela, Najaf, Kadhimain, and Samarra. Najaf contains the reputed tomb of Ali. Nearby is the mosque where Ali was murdered. Kerbela is built on the site of Hussein's (son of Ali) battle for Alid control. It also holds the

10. *Review of the Civil Administration of Mesopotamia*, p. 33.

11. Lady Bell, *op. cit.*, II, 516.

tombs of several of his followers. At Kadhimain are buried the seventh and eighth Imams (direct descendants of Ali). At Samarra lie the bones of the tenth and eleventh Imams, while the twelfth Imam disappeared into a cave located a few score yards from the tomb. Kadhimain and Samarra are of less importance as Shiah centers, since the former is so near Bagdad (a great Sunni and Arab stronghold) and the latter is largely Arab and Sunni. But Kerbela and Najaf, especially Najaf, have throughout the centuries been the great centers of the Persian and mystic fanaticism which at this time troubled the British and which was destined to oppose the political authority of the new government to come.

The great divines of the Shiah world have usually resided at Najaf, Kerbela, or Samarra. The leading *mujtahid* has always lived in one of these three cities, preferably in Najaf. The Shiah *mujtahid* interprets the sacred law. The Sunni follows the interpretation of Mohammedan law as laid down by the founders of the four orthodox Sunni sects, while the Shiah follows the laws of the Koran as interpreted by the Imams. The *mujtahid* may modify the interpretation of the Imams, but seldom does so. The *mujtahid* has been so powerful in Persia as to compel the government there to rescind its decrees.<sup>12</sup> The Shiahs had always given the Turks (Sunnis) more or less trouble, but they had been given a large measure of privileges along with the nominal Turkish control in Iraq. The harsh treatment of the Shiahs by the Turks during the first years of the war left the way open for a rather friendly reception to the invading British, who promised respect for their holy places.

The situation now changed. The British came with a thorough régime which could not comport with former Shiah privilege. The British were allies, too, of the Sunni Ibn Saud of the desert and of the Sunni Hussein of the Hedjaz. When it was evident that Shiah authority would be curtailed, when lucrative traffic with the Turks was forbidden, and especially when the Shiah could not be sure as to who his future masters would be, trouble was sure to come. But by frequent conference and understanding, by money payments, by exile of leading trouble-makers, by services in rebuilding places made desolate by war, by sanitation and lighting of cities and other such improvements, and by threat and force the British continued to open the way for an ordered life. Seldom had an invading army to face such a complexity of social difficulties.

12. *Review of the Civil Administration in Mesopotamia*, pp. 27 ff.

## *British and French Pledges of Arab Freedom*

Before the entrance of the British into Bagdad the Turks, Arabs, and others who sympathized with the Ottoman Empire had left the city, and, as at Basra and elsewhere, the interregnum was a period of loot. The haste, however, with which General Maude achieved the occupation reduced the lawlessness to a fair minimum. So the city now purged of its anti-British element and relieved of the distressful uncertainties of the past two and a half years, and of the special terrors of recent days, received with enthusiasm their conquering deliverers. General Maude then carried out promptly his instructions to issue a proclamation stating that the British came not as conquerors but as liberators; that Great Britain and Bagdad had long been intimately connected by commerce; that she could not remain indifferent to what took place in Mesopotamia; and that she was determined to see that the Turks and the Germans should not repeat their recent deeds at Bagdad. The proclamation continued:

"But you, the people of Bagdad, whose commercial professions and whose safety from oppression and invasion must ever be a matter of the closest concern to the British government, are *not to understand that it is the wish of the British government to impose upon you alien institutions*.<sup>13</sup> It is the hope of the British government that the aspirations of your philosophers and writers shall be realized once again. The people of Bagdad shall flourish and enjoy their wealth and substance under institutions which are in consonance with their sacred laws and racial ideas. In the Hijaz the Arabs have expelled the Turks and Germans who oppress them and have proclaimed Sharif Hussain as their king, and his Lordship rules in independence and freedom and is the ally of the nations who are fighting against the power of Turkey and Germany. So, indeed, are the noble Arabs, the lords of Najid, Kuwait and 'Asir. Many noble Arabs have perished in the cause of freedom at the hands of those alien rulers, the Turks, who oppressed them. It is the determination of the government of Great Britain and the great powers allied to Great Britain that those noble Arabs shall not have suffered in vain. It is the desire and hope of the British people and the nations in alliance with them that the Arab race may rise once more to greatness and renown amongst the peoples of the earth and that it shall bind itself to this end in unity and concord. O, people of Bagdad! remember that for twenty-six generations you have suf-

13. The italics are the author's.

ferred under strange tyrants who have ever endeavored to set one Arab house against another in order that they might profit by your dissensions. Therefore, I am commanded to invite you, through your nobles and elders and representatives, to participate in the management of your civil affairs, in collaboration with the political representatives of Great Britain who accompanied the British Army, so that you may unite with your kinsmen in the North, East, South and West in realizing the aspirations of your race."<sup>14</sup>

It is especially important for the reader to keep in mind the appeal here made to Arab pride and aspiration. It is observed, too, that Great Britain did not wish to impose upon the people "alien institutions." Similar promises had been made to the people of the Hedjaz by Colonel Lawrence and others. Presumably this would be the attitude of the British towards the Arabs generally, including the Syrians. The Hedjaz ruling family had, after ridding their own country of the Turks, carried their spirit of independence into the conquest of Palestine and Syria.

In the same spirit were couched the instructions of the French foreign office to M. F. Georges-Picot, "Commissary of the Republic in the Occupied Territories of Palestine and Syria," under date of April 2, 1917. The cabinet of St. James had been notified of the decision to send a representative, "with a small contingent of troops, whose functions shall be to show the populations the complete agreement existing between the Allies." He was "to organize the occupied territories so as to ensure to France a situation equal to that of England in all relations with the native populations." His instructions said, "You will have to endeavor, by all means for propaganda among the Arabs which you may possess, to facilitate the advance of the Allied forces by creating diversions threatening to the enemy army, and thereby shaking its morale." He was "to impress upon all the perfect agreement existing between France and England,..." here, "as in all war zones and which has made possible, precisely in the East, the settlement of questions hitherto seemingly unsolvable." But M. Picot was to keep in mind the Anglo-French partition of Turkish territories as provided in the Sykes-Picot Agreement of 1916. Hence "there is for the time being no question of creating a final situation," but only of "preparing the ground . . . ., for the application of recent agreements upon the conclusion of peace."

As casting light upon the future animosity between Great Britain

14. Quoted in *Review of the Civil Administration of Mesopotamia*, p. 32.



and France over Turkish spoils, it is interesting to note that the French foreign minister in his instructions to Picot was conscious of the weakness of the French position in Syria. He says, "Lacking the immediate despatch of a somewhat strong contingent, you must endeavor to invest our present action with all the importance and impressiveness of which it is capable." But these instructions again emphasize the appeal to the Arab's hope of freedom. "What we want to do is to liberate a people long subjected to the Turks.... Our action must tend to restore its brilliance to a civilization which has not been without greatness...." The Turks had "persecuted the most illustrious of the Arabs and tried to exclude their language even from sacred books. You will have to emphasize these sentiments in the proclamation which you will have to address to them. You will lay weight especially on the point that there is no *intention of imposing upon them foreign governors*,<sup>15</sup> but solely of assisting them to create national institutions capable of ensuring ordered government." But "various other means" would be at his "disposal." "You will reward with money the desertions they may cause, and the raids against railways or lines of supply. You will create bands capable of harassing our enemies...."<sup>16</sup>

### *The Arab's Opportunity*

These Anglo-French assertions of attitudes and objectives regarding the nationalistic interests of the Arabs reveal, in the first place, an attempt on the part of the two powers at a program of harmony and parallel action in the Near and Middle East. As old rivals for empire in this same area, as elsewhere, each realized that if it were not to enter the lists for spoils, the other would. But all things considered, it seemed best to proceed this time understandingly, to make the same appeal, and to have the same general objectives, for the Entente Cordiale must be preserved, and the harmony must be evident to the Arab. We have already seen something of how difficult it was to preserve this harmony. In the second place, one may well raise the question, "Have these two great bearers of culture to backward peoples not deceived the Arabs?" There can be no question of wide discrepancies between the provisions of the "secret treaties" and the spirit of definite appeal to freedom which was made by representatives of the powers sent to the Arabs later. And it must be admitted that the final disposition of these territories represented, at best, a compromise be-

15. The italics are the author's.

16. *Manchester Guardian*, January 8, 1920. On the same page is found the Sykes-Picot agreement accompanied by a map.

tween what was first sought and what was later promised. To say that the Arabs do not understand freedom in the modern social sense, or that they are greatly in need of social tutelage before they are "able to stand by themselves under the strenuous conditions of the modern world" make no dent in the charge of Anglo-French insincerity. We shall have occasion to refer to this point again. In the third place, the spirit of national freedom which had long ago developed out of medieval and feudal Europe had made its rounds of the globe and had now finally taken secure root in this first home of civilization. It represented in a sense the completion of the "expansion of Europe." We may say, too, that the principle of "self-determination" had finally taken such a grasp upon the suppressed human spirits of this last great stronghold of despotic power that western states found their easiest way in through appeal to that principle.

Here we thus find operative a fundamental law of progress. The powers found it more and more necessary, if they would hold and extend their control, to appeal to the newer springs of individual and social life. It was such an appeal that Great Britain and France, in their emergency, made to the Arab in order to further the defeat of the Central Powers. The Allied powers had in their inherent purpose the objectives of the "secret treaties," but only the promise of freedom would stir the Arab to necessary Allied support. Then in the final settlement there happened to be sufficient personal, national, and international conscience to force a measure of compliance with the promise. Thus the old was forced to compromise with the new. But it would be a miracle of adjustment if all this complex of East and West, thus brought together in Iraq, should fit itself at once into a well ordered community.

#### THE EXTENSION OF CIVIL ADMINISTRATION

Great Britain in her possession of an able line of colonial administrators would seem particularly fortunate in the services of Sir Percy Cox. As father of the new political régime in Iraq he had had a prewar experience of long and reputable service in and about the Persian Gulf. Iraq was in the very heart of that vast area of British colonial activity. The colonial technique of India and Egypt thus went into Iraq.

The capture of Bagdad, now a city of more than two hundred thousand, shifted the emphasis of the British problem from one of military occupation to one of civil administration. It had long been the seat of political power in Mesopotamia. About the city lay the fer-

tile valleys of the Euphrates, the Tigris, and the Diyala rivers. Here centered trade routes from all points of the compass. It had been the Turkish capital for this part of the empire.

In July, 1917, the status of the chief political officer, as Sir Percy Cox had been called, was raised to that of civil commissioner, though the civil administration was kept under the supervision of the military commander-in-chief. And the civil commissioner had orders to the effect that "the amendment of laws and the introduction of reforms should be kept within the narrowest possible limits." Large or controversial questions should be solved on the ground or not raised at all until the future of the country was more definitely determined. The new commissioner could, however, address correspondence to the Secretary of State for India and through the same His Majesty's Government would in return issue its instructions other than military. So far the vilayet of Basra had been administered under a separate organization with little change in its extent under Turkish rule. As slightly enlarged it now included five districts: Basra itself, Qurna, Nasiriya, Amara, and Kut. Each was administered by a political officer with local assistant political officers under him. Over the towns of Basra, Nasiriya, and Amara were military governors whose duties gradually became more of a civil nature. Political officers were appointed for the different divisions as control over the vilayet of Bagdad was extended. By the end of 1917 there were ten of these, including Bagdad, Samarra, Ba'qubah, Khaniqin, Aziziya, Hillah, Kerbela, Shamiyah, Ramadi, and Samawah. In September, 1918, the distinction between the vilayets was allowed to lapse and both were administered as a unit from Bagdad.

The vilayet of Mosul was taken over in part by actual military activity and in part in consequence of the terms of the armistice. The situation at Mosul differed from that at Basra and Bagdad in that records were intact and officials were on duty. In fact there was an oversupply of officers. "A number of these had fled with the Turkish army after the occupation of Bagdad and had been given sinecures in the Mosul vilayet pending the recapture of the capital. We found the public offices choked with salaried persons having no visible duties; unemployed, and to a great extent unemployable, they returned to Bagdad and formed a nucleus of discontent and hostility."<sup>17</sup> For the time being it was supposed this area would, by the Sykes-Picot treaty, go to France, and, hence, that British administration would be only temporary. However, before the Peace Conference met it was already

17. *Review of the Civil Administration of Mesopotamia*, p. 127.

agreed by France that Great Britain should have Mosul. Unusual administrative difficulties were encountered here owing to the greater racial and religious mixtures. But, as we shall see, the main issues here were, for the time, the long-drawn-out raids back and forth across the Turco-Iraq frontier, the suspense, and the mutual antagonisms and the ill-feeling over the undefined boundary between Turkey and Iraq.

The first consideration of the British in assuming control in Mesopotamia seems to have been the winning of the war, but even a purely military program, if conceived upon the most effective lines, would necessarily include provisions for the restoration, improvement, and maintenance of the normal life of the people insofar as it were possible. To this end we find them doing many things for the satisfaction of the ordinary human wants. One of the first things was to organize food distribution. It was important to keep open the channels of trade. The maintenance and extension of agriculture were vital. This involved restoration, regulation and extension of the canal system. The means of transportation by road, river, and rail, especially towards the Persian Gulf, could not be neglected. Sanitation, in the cities particularly, was most important, if the plague, cholera, and other terrible diseases were to be controlled. Mud and filth when it rained, and sandstorm, dirt, heat and filth when it was dry, were the general conditions in village, town and city. Many of these urban communities were cleaned and drained, water systems were installed, streets were often widened, and lighting systems sometimes provided. Kut, where much destruction had resulted from the long siege and the recaptures by both Turk and English was made a special example of restoration and modernization. In Bagdad the modernization program took the form of considerable city-planning, along with the numbering of the streets and houses. With this improvement of physical conditions, there also went a greatly needed extension and improvement of the policing system. Of course one of the British purposes was to convince the realistic Arab of the superiority of western control and have him feel very concretely that a new era was now on for Iraq.

But all this improvement was an ever mounting charge against the British taxpayer. It was highly important, therefore, to install a revenue system at the earliest possible date. Also, the earliest test of governmental control and the best evidence of allegiance is the successful and acceptable administration of a taxing system. The Turks apparently had had a thoroughly bad system. In the vilayet of Basra at the time of occupation "five departments of government, apart from the general revenue, were independently collecting monies and remitted them to

Constantinople.... The net result of these five excrescences was that the normal life of the people was interfered with at almost every step and that no unification of system or taxation was possible...."

"There was a complete cleavage between the executive and revenue sides of the administration. The executive provided force for the collection of taxes but they had no other concern with the revenue system. Taxes were collected usually by farming them out or by subordinate officials appointed annually to collect a specific tax. With few exceptions all demands were subject to change. They were fixed each year by assessments or by counts of the objects subject to taxation, such as sheep, buffaloes, and camels, or date and fruit trees, or, in case of crops, by estimation of the yield. The greater part of this work was done by a temporary official, who had no interest in his particular employment beyond making the most of its short duration. There was no one permanently responsible for the probity of the collector in any area, and the system invited speculation and corruption. The invitation was seldom refused."<sup>18</sup>

What was done in this regard was, in general what the British did in other matters here, namely, they kept the Turkish system intact, but made an effort to free it from abuses, corruption, and inefficiency. It is claimed that the number of alien officials was here, also, kept low and that a majority of places went to Moslems, an effort being made to place former officials of the country, wherever honest and capable ones could be found. A revenue department was the first of the new governmental machinery to be established. There was later set up (1918) a separate customs department, and somewhat later still there was established a separate Auqaf department, or department of pious bequests. It was found that one of the best means of collecting revenues from the tribes was through the sheiks, who were given a share sufficient to make the odious task worth the while of these dignitaries. Such a scheme, incidentally, fitted effectively into the general system of control of the tribes. The department of education was also merged with that of the revenue until the summer of 1918. Education was regarded, both by the British and by the more forward-looking Iraqis, as a very fundamental consideration. Both regarded the educational backwardness of Iraq, especially in contrast with Syria, as demanding urgent and extensive attention.

Another important consideration of the new order of things, and closely related to the foregoing, was that of a currency. The Turkish currency was found to be deficient and Turkish exchange had greatly

18. *Ibid.*, p. 6.

depreciated. It was the natural thing for the Indian government, especially since India was not so far away and intimately connected with Iraq by commerce, to bring along her system of currency. The Indian rupee thus became the monetary unit of the new state. The adoption of a permanent monetary system of her own was still, however, a question to be solved by the local government.

### *Iraqi Anticipation of Freedom*

Gertrude Bell tells us that "before the armistice the people of Mesopotamia had accepted the fact of British occupation and were resigned to the prospects of British administration. Sections of the inhabitants were more than resigned; they looked forward with satisfaction to a future in which they would be able to pursue commerce and agriculture in profitable security with a strong central authority preserving peace and order, and this frame of mind was most prevalent where British rule had been longest established. As early as 1917 the inhabitants of Basra had made public declaration of their contentment with a condition of affairs which allowed them to engage in business with the certainty of advantage. They observed with truth that their town had made almost incredible progress, and they recognized gratefully that the comfort of their lives had been increased beyond all anticipation. They added, however, that the demands of the government on labor were too heavy for the district to bear without injury to agricultural interests, and they begged that a supply might be sought in India."<sup>19</sup> But they must have had in mind some form of indentured labor and did "not contemplate the settlement of colonies of the natives of India in Iraq."

However, "Bagdad, which is a far more active center of political thought than any other part of the Iraq, had not spoken." As for the trouble in the holy cities, that had been local or "fostered by Turco-German intrigue and allayed by the defeat and withdrawal of the enemy and the removal of turbulent local elements."

With the close of the war there came a distinct turn in the attitude of the native mind. On October 11, 1918, Wilson's Fourteen Points were published in the official Mesopotamian newspapers. Though they had been presented to the United States Senate on the preceding January 8 the Iraqis did not know about them until they appeared in Reuters' telegrams. Also, on November 7, 1918, appeared the joint declaration of the French and British governments as to their intentions respecting the peoples freed of Turkish oppression. This declara-

19. *Ibid.*, p. 126.

tion stated that "the end aimed at by France and Great Britain, . . . is the complete and final enfranchisement of the peoples so long oppressed by the Turks, and the establishment of national governments and administrations, drawing their authority from the initiative and free choice of the native populations.

"To fulfil these purposes, France and Great Britain have agreed to encourage and help the establishment of native governments and administrations in Syria and Mesopotamia, . . . and to recognize these as soon as they are effectively established. . . . Far from wishing to impose upon the populations of these regions any particular institutions, the Allies have no other desire than to assure, by their support and by an effective assistance, the normal functioning of the governments and administrations which the populations have freely given themselves. To assure an impartial and equal justice for all, to facilitate the economic development of the country by helping and encouraging local initiative, to favor the spread of education, to bring to an end Turkish political divisions, too long exploited, such is the rôle which the two Allied governments assume in the liberated territories."<sup>20</sup>

This joint statement of policy differs little from those already issued by the same powers separately. Greater definiteness, however, is to be noted in that the "national governments and administrations" to be established were to draw "their authority from the initiative and free choice of the native populations." Nothing is said concerning the "initiative and free choice of the populations" as to who shall be their mentors, or as to how long they would need the "helping and encouraging" thus proffered.

While Great Britain was, at the time of the joint statement, in complete and exclusive control of these territories, she was, during the coming year, to relinquish Syria to France. Conscious that there was none to dislodge them, these self-appointed national tutors were in position to give cool reception to Wilson's suggestion (March 20, 1919) of an Allied commission<sup>21</sup> to aid in carrying out the principle of "self-determination," to which all were presumably committed.

As for the Arabs, they only knew that the Turk was gone and that they were in the clutch of others. Nevertheless, the joint statement became the basis of a profound political hope which filled the hearts of Syrian and Iraqi liberals.

"In Bagdad, where political ambitions are more highly developed

20. Quoted in J. de V. Loder, *The Truth about Mesopotamia, Palestine and Syria*, p. 32.

21. Ray Stannard Baker, *Woodrow Wilson and World Settlement*, III, 16-9.

than elsewhere in Mesopotamia, within a week of the publication of the Anglo-French declaration the idea of an Arab amir of the 'Iraq was everywhere being discussed, and in Mohammedan circles it met with universal approval. But there was no consensus of opinion as to the person who should be selected to fill the post. At first the choice wavered between a son of the king of the Hedjaz, a member of the family of the sultan of Egypt, and a magnate of Mosul; the naqib of Baghdad was mentioned, and once a preference for a republic was expressed. But the idea of a republic was not agreeable to most Moslems, and the naqib showed some reluctance to accept high office of state.<sup>22</sup> Debate in streets and coffehouses assumed something of a controversial nature. This was due in part to the introduction into the city of a new discordant element following the armistice. It had been agreed with the Turkish commander that all men of Arab birth who were formerly in the employ of the Ottoman Empire, whether civil or military, should be allowed to return home. These included many who by their own choice had gone with the Turks in preference to attaching themselves to the British cause. When one remembers the Turkish penchant for the multiplication of small official posts it may easily be imagined that this returning host of former place holders became a rather formidable element of disturbance. The Jews, who are the most wealthy portion of the population and who constitute over a third of the city, became alarmed at the violent character of political discussion and sent in a unanimous petition asking to be made British citizens in case an Arab state should be set up in Mesopotamia. The Christians, who are said to represent about one twenty-fifth of the population, were equally uneasy.<sup>23</sup>

But in order to understand the more fundamental aspects of the situation which developed during the first year and a half following the armistice, it is necessary to survey the field somewhat more broadly. There seems ample justification for calling 1919 the Arab's "year of hope."<sup>24</sup> A long chain of events had led to this hopeful outlook. The Arab group consciousness of the days of Mohammed, of the Ommiads, and of the Abbassids, had never entirely died. At various times during the past century there had been distinct evidences of a rejuvenation of that old group consciousness. In more recent decades it had assumed more and more the form of the modern national movement. It was to

22. *Review of the Civil Administration of Mesopotamia*, p. 127.

23. *Ibid.*

24. Richard Coke, a correspondent of the *Manchester Guardian* from the Middle East, has a chapter in his book, *The Heart of the Middle East*, entitled, "The Year of Hope."



this sentiment, as we have seen, that Great Britain and France appealed during the war, and it was on the basis of this hope that the western Arabs rose in revolt in 1916.<sup>25</sup>

We have also seen something of the rise to power, and the ambitions of the Wahabi tribes of Nejd (Central Arabia), especially under the able Ibn Saud. Ibn Saud, along with various other Arab groups, had been encouraged by British alliance. The general rise of this national spirit and the encouragement of individual Arab leaders, here and there, as suited the interests of European powers at the time, resulted in a rivalry for the Arab national leadership. It was thus that Hussein rebelled and proclaimed his independence in 1916. He first proposed to be king of Hedjaz; then in 1917, he would be king of Arabia, but this ambition was challenged by Ibn Saud. Great Britain tried to settle the trouble between her rival allies by recognizing Hussein as king of Hedjaz and making him the center of her policy in that part of the world. Hussein's ambition to head an Arab empire did not abate, however, and he was soon in conflict with Ibn Saud. The latter was prevented from taking Mecca by British gold, it is said.<sup>26</sup> After the subvention ceased the old feud again arose and Hussein lost his throne. Of course Hussein was less necessary to British interests now and there was recognition on the part of certain Britishers that they had been "backing the wrong horse" anyway.<sup>27</sup> Ibn Saud was the better Arab hope. But if Hussein's individual fortunes were to be no more the immediate concern of Great Britain, the other members of the family had to be considered. Incidentally, it was better for British interests that Arab affairs should not be concentrated under the control of any one family.

### *Feisal and the Arab Cause*

Feisal, the third son of Hussein, was chosen to be the leader of the western Arab contingent in the military campaign against the Turks in Palestine and Syria. Colonel T. E. Lawrence, a young oriental archæologist, student, and traveler among the Arabs, was selected as his intimate British adviser. Feisal's ambitions and his career came to embody and represent much of the best in Arab national hopes. Of

25. The negotiations between Great Britain and Hussein, 1914-15, show the latter's constant demand for Arab independence and Arab unity. See E. A. Temperly, *A History of the Peace Conference*, VI, 121-7.

26. Robert Machray says in the *Fortnightly Review* (CXXII, 627) that Ibn Saud got a monthly subvention of five thousand pounds to be paid as long as he was good, i.e., as long as he let Hussein alone.

27. *Ibid.*, p. 652.

his ward Lawrence says,<sup>28</sup> "No Arab ever impugned his judgment, or questioned his wisdom and competence in tribal business. By patiently sifting out right and wrong, by his tact, his wonderful memory, he gained authority over the nomads from Medina to Damascus and beyond. He was recognized as a force transcending tribe, superseding blood chiefs, greater than jealousies. The Arab movement became in the best sense national, since within it all Arabs were one, and for it private interests must be set aside; and in this movement chief place, by right of application and right of ability, had been properly earned by the man who filled it for those few weeks of triumph and longer months of disillusion after Damascus had been set free." Feisal was a man of great personal charm. He seemed to possess in marked degree the power of uniting the different tribes to himself as well as to one another. As he collected his forces he swore his adherents solemnly on the Koran (between his hands) "to wait while he waited, march when he marched, to yield obedience to no Turk, to deal kindly with all who spoke Arabic (whether Bagdadi, Aleppine, Syrian, or pure blooded), and put independence above life, family and goods." "He also began to confront them at once, in his presence, with their tribal enemies, and to compose their feuds. An account of profit and loss would be struck between the parties, with Feisal modulating and interceding between them, and often paying the balance, or contributing towards it from his own funds, to hurry on the pact. During two years Feisal so labored daily, putting together and arranging in their natural order the innumerable tiny pieces which made up Arabian society, and combining them into his own design of war against the Turks. There was no blood feud left active in any of the district through which he had passed, and he was court of appeal, ultimate and unchallenged, for western Arabia."<sup>29</sup>

But with all Feisal's ability he had a huge task ahead. He aspired to be the leader of the Syrians, who looked down upon the sherifian family as ruling over only ignorant tribes of the southern desert. Of all the Turkish subjects aspiring to freedom, the Syrians were the most cultured. Their culture, too, was, to a great extent, of French origin, and what French influence operated there was not likely to be particularly favorable to this ally of the British. Also, the Syrians had been the first of the Arab nationalists. They had been especially active in the days of the Young Turks and, though suppressed later by Turkey, they still represented the most active nationalistic element of the race.

28. In his *Revolt in the Desert*, pp. 61-2.

29. *Ibid.*

Their views of nationalism did not perfectly coincide with those of Feisal's family.

There was considerable financial means at Feisal's disposal. His royal father was one of the wealthiest of Arab potentates. British gold gave heavy backing to the sherifian program. The King-Crane commission, sent by President Wilson to find out the political wishes of these erstwhile Turkish subjects, reported that "the British government has been advancing money to his [Hussein's] government for a long time, and at present (June 1919) allows it \$750,000 per month (£150,000). Of this Feisal draws about \$200,000 per month for his personal expenses, staff, propaganda, agents, etc. The balance is spent on the administration and the army of seven thousand and gendarmerie of four thousand five hundred, in supplement to the inadequate receipts from taxation."<sup>80</sup>

In this difficult position Feisal seems to have "played his cards well."<sup>81</sup> Before advancing upon Damascus, the Syrian capital, he had secured the secret support of various committees. He made his triumphal entry, October 3, 1919, which "was exceedingly well calculated to impress the population and rally it to his side. After severe fighting, which had ceased outside Damascus only two days earlier, he entered at a gallop, at the head of fifteen hundred Arab cavalry shouting and firing as they went—he entered, in fact, as previous Arab emirs of history had done, only that he came as a deliverer, at the head of Arab troops. After this dramatic introduction, and having first obtained Lord Allenby's sanction, he had the Arab flag hoisted over the city."<sup>82</sup>

Feisal soon announced (October 7, 1919) that an independent government had been set up for all Syria. He even suggested that it contemplated a pan-Arab community. His aims seemed to point to a revival of the ancient emirate of Damascus. Syrian ideas of nationalism and the sherifian ideas of a confederation of Arab states seemed now to have come into agreement. But "the powers that be" had not spoken. Such simplified state-making as this could hardly be expected to survive the complex forces at play in this area. The conflicting interests included that of Feisal's own ambitions for the Arab cause; French opposition to the sherifian program in Syria, and finally to Feisal himself; Great Britain's effort to keep faith with Hussein; and Great Britain's stronger determination to maintain the spirit of the Entente Cordiale with France. It is not our purpose here to follow the

<sup>80</sup> In *Editor and Publisher*, Supplement to Vol. LV (December 2, 1922), p. xxiv.

<sup>81</sup> Temperly, *op. cit.*, p. 138.

<sup>82</sup> *Ibid.*, p. 139.

detail of events which threatened to wreck the whole program of peace-making. It is vital to our purpose, however, to see how, here again as at so many former times, the crucial issues of the world center in this same old human habitat hard by the fabled origin of the race.

### *Feisal and Iraq in the Hands of the Powers*

We have already referred to the joint declaration of Great Britain and France made on November 7, 1918, and even earlier in our story we had occasion to review what took place between representatives of these two powers in a secret conference at Paris, March 20, 1919, concerning the same general subject. Between the two dates came a few more events worth mentioning here. The very embarrassing situation in which all concerned found themselves angry was temporarily relieved by preparation for the peace conference. Feisal had been advised already to come to terms with the French, but an invitation was given him to come to England for further consultation before the meeting of the peace conference. A British cruiser brought him to Marseilles, from which he proceeded to Paris. Here he was received by Poincaré and was later shown over the French battle front, and, all in all, honored, it is said, as a French ally. He then went to England, where he was decorated by the king with the chain of the Royal Victorian Order. He was treated with great cordiality but was politely told that French control in Syria must be accepted. "This advice appears to have convinced him of its sincerity, though not of its soundness; at least it corrected his views as to the realities of the Syrian situation."<sup>83</sup> But Feisal was going to the peace conference to represent Hussein, one of the Allies.

On December 29, 1918, M. Pichon announced in the French Chamber that French rights in Syria, Lebanon, and Cilicia were based on historic tradition, upon agreements and contracts and upon the aspirations of the inhabitants. France, however, recognized the freedom of the coming peace conference. It was also French policy to use Feisal, who was in possession of Syria, as a means of establishing a peaceful French control there.

The formal aspects of this bit of European diplomatic sociability seem to have ended by the French army's conferring upon the oriental visitor the Croix de Guerre with Palms.<sup>84</sup> But all the hospitality and honor bestowed upon Feisal were but palliatives for the disappointments of which he was more and more aware while at London and Paris. When disillusioned as to the further championship of his cause

33. *Ibid.*, p. 142.

34. *Ibid.*, p. 144.

in Syria by Great Britain he is said to have turned to America.<sup>35</sup> He wanted a confederation of Arab states under the guidance and protection of the United States. With Colonel Lawrence, his old adviser and ardent supporter, standing by, he presented his case to the peace conference, February 6. But his destinies were completely at the disposal of western interests, and while the president of the United States was plainly his best friend, that power was in no position to assume the obligation of a mandatory in this strategic and stormy region. And with all the splendid and disinterested justice of American liberalism and with all of America's power, the issues of the Near and Middle East were issues for the powers as a whole to decide.

The Arabs, who had been the social architects of the last great state incorporating the essentials of the world's culture, now after centuries of oppression under Mongol and Turk, had again caught a glimpse of the light of social freedom but their fate was at the disposal of world forces. These world forces were now predominantly western, and in spite of their crass nationalistic imperialism, they were to bring a measure of liberation to the Arab spirit. But the Arab's full measure of hope would not abate without a struggle.

The Hedjaz was already independent, but the various Arab delegations which formulated and promulgated Arab views desired the independence of all Arab-speaking regions, including Syria, Mesopotamia, Nejd, the Yemen, and Jezireh. They seemed to want a sort of Arab unity maintained, and if a mandatory arrangement were to be set up, it should be a single, not a divided one. Feisal is said to have asked for an international commission of inquiry on the matter. The French, however, fought this with might and main, and the English gave the idea no effective support. A French vessel returned Feisal to the East presumably in at least a half-hearted agreement with French foreign policy. But he faced the serious alternatives of a complete submission to the French, with its consequent loss of his Arab leadership, and an anti-French attitude necessary to retain that leadership.

### *The American Commission to the Near East*

As for the attitude of the people towards Feisal the King-Crane commission found that it varied in different regions. Few Christians declared positively for him. Some others said he was a good man with bad advisers and others feared him as a member of a powerful Moslem family. The Moslems of Palestine made almost no declaration for him, but it was said that if he should come to Palestine Arabs would be

35. *Ibid.*

enthusiastically for him. The Moslems of the western desert about Amman and in Lebanon and Syria were eager for him. They also stated that he seemed to be kindly, gentle, and wise, and that his experiences of the past two years had given him excellent political education between Christians and Moslems and that he approved the education of women; that he gave the impression of being able to maintain his leadership; that he promised well as a constitutional monarch, and that he could work well in coördination with a mandatory power; but they advised that he renounce all rights to the crown of the Hedjaz if he remained in Syria. Feisal had returned to Syria just before the arrival of the commission. They received the impression that he and Clemenceau had reached an agreement and that he had promised to make an effort to allay anti-French feeling in Syria. After a time, however, he decided that the French were playing false with him and he had ceased his efforts. Just before their arrival he had tried to obtain a declaration favorable to a British mandate. He assured the commission that he would be pleased with either a British or an American mandate.<sup>36</sup> They found that the agents of Feisal were "working in a limited way" in Syria, "in support of the program of the Syrian congress at Damascus." They also state ("confidential" for Americans only) that "there was no evidence of direct action by the British in this territory. Perhaps there was an ulterior motive in the special and somewhat conspicuous kindness which they showed the commission during these days."<sup>37</sup> But the hostility between Great Britain and France, recognized the world over as serious, and as coming out of this western Asiatic region, must be founded on a keen sense of British interest here. There is evidence that British officers in the area worked against the French here, in spite of Lloyd George's assurances that his country cared nothing for this mandate. And this hostility encouraged, at first, a local guerrilla warfare against the French, and later an open opposition by Feisal himself. The British appeared (though they had borne the brunt of the Syrian conquest) to base their interest in the matter on their obligations to Hussein. Whatever other interests the British had they would not accept the Syrian mandate, if offered them, and later withdrew their troops in favor of French ascendancy.

Feisal was induced to come to London and Paris for further consultation, but at Paris no final agreement could be reached. In fact there seems to be no sufficient reason why Feisal should have submitted to French demands, unless the overwhelming force of the French army

36. *Report*, p. xxiv.

37. *Ibid.*, p. xx.

be one. The Anglo-French declaration (November 7, 1918), the terms of the armistice, and the specific reference in article 22 of the Covenant of the League of Nations<sup>38</sup> had all held out to the Arab the hope of self-determination. It had even been agreed that an Allied commission of disinterested men should canvass the wishes of the people. Not only did Feisal know all this but other Arab leaders knew it. At least for recent months they had hoped and temporizingly planned towards realization of their hopes. But it seems that the scheme for a joint commission was destined from the first to fail. A member of the American delegation at Paris says, "The French refused to appoint their members, and the British blew hot and cold, and finally after long delays, the American commissioners started out alone...."<sup>39</sup> But it was more than two months after the decision to appoint the inter-Allied commission that it finally set out. Another prominent member of the American delegation recorded May 20, 1919, "Dr. King came today about the Syrian commission, and I told the President it was something of a scandal that the commission had not already gone to Syria as promised the Arabs. The honor of Great Britain, France, and the United States was at stake, and I hoped he would insist that the commission leave at once. The President assured me that he had done everything he could in the direction indicated. I then suggested that he set Monday as the time when our commission would start, regardless of the French and English. He adopted the suggestion and said he would tell Clemenceau and Lloyd George tomorrow."<sup>40</sup>

The main purpose here is to present a background for the Mesopotamian revolt of 1920. That revolt had its roots in Arab opposition to the French in Syria. The American commission found the French position there quite unjustifiable. Their interests in Syria were sentimental, cultural, vested. Of the 1,863 petitions presented to the commission more than 60 per cent were expressly against a French mandate and less than 15 per cent (mostly from Lebanon) were expressly for the French mandate. And this followed an extensive French propaganda. They found there much bitter feeling among French officers against the British. They had put British gold in Feisal's hands, prejudicing their cause. Even America, by sending this commission to Syria, seemed the accomplice of Great Britain in despoiling France of her rights.<sup>41</sup> The commission found an overwhelming Arab demand

38. "The wishes of the communities must be a principal consideration in the selection of the mandatory."

39. Ray Stannard Baker, *op. cit.*, I, 77-8.

40. E. M. House. See Seymour, *The Intimate Papers of Colonel House*, IV, 468.

41. *Report*, pp. xxii-iii.

for an American mandate in Syria. But Great Britain was found to be their second choice and they recommended, in case of America's refusal, that Great Britain get the mandate. They also recommended that Feisal be the king. This report, however, was destined to have absolutely nothing to do, at least directly, with the disposition of the Turkish mandates. But the idea back of such a commission became the more deeply impressed upon the minds of the Arab leaders, and the very presence of the Americans, for whom the commission found everywhere a passionate Arab devotion, must have added strength to their determination for larger freedom.

It is worth mentioning in this connection that the Allies had not yet made peace with Turkey and that there was also a determined Turkish national movement. These nationalists of Anatolia also had a serious grievance against France, whose troops had occupied Cilicia. Because of the common enemy in France there was a distinct effort on the part of these Turkish nationalists to make common cause with the nationalist Arabs. The possibility of help from this quarter brought encouragement to certain Syrian Moslems, especially after Turkish victories against the French in February, 1920.

On March 10, 1920, a congress of Syrian notables dared offer the crown of Syria and Palestine to Feisal, who accepted and thus became king. At the very same time this congress nominated Abdullah, Hussein's second son, as king of Iraq. But Great Britain and France repudiated the whole proceeding and informed Feisal that such matters could only be decided by the representatives of the powers. On April 24, 1920, the powers at San Remo assigned mandates for Palestine and Iraq to Great Britain and that for Syria to France. In the following July, the French routed the Syrian army with great losses and drove Feisal from the country. The nationalist cause in Syria had thus failed because of insufficient fighting force. Whether the cause of civilization is the better advanced by the French mandate is not our concern here.

### *Agitation Shifts to Bagdad*

The chief center of the Arab national movement now goes to Bagdad, the political center of Iraq. We have Gertrude Bell's statement<sup>42</sup> to the effect that the leading men of Feisal's army in the Syrian campaign under General Allenby were of Mesopotamian origin and that many of them were Bagdadis. They claimed to have fought in that campaign for the liberation of Mesopotamia. There was founded in 1913 a Mesopotamian society called the *Ahd al Iraqi*, some of its leaders

42. *Review of the Civil Administration of Mesopotamia*, pp. 134-5.



being commanders in the Turkish army up to the end of the war. During the Syrian campaign (winter of 1917-18) they were particularly active in seeking the independence of Mesopotamia without western European interference and with a view of uniting the country with an independent Syria under the sherifian family of the Hedjaz.<sup>43</sup> From Dair al Zor, on the upper Euphrates, this society had conducted considerable propaganda during the years following the armistice. Iraqis in Syria, too, during this period kept up a correspondence with relatives and friends in Mesopotamia urging the latter to combine with Syria in her program for complete independence. Funds were sent from Syria to help spread the nationalist sentiment in Iraq. The members of this society urged that the Syrians had been able to establish their independent government at Damascus because of the victory of arms and that similar liberties could come to Mesopotamia only by successful resort to force.<sup>44</sup> As Syria was seen slipping away into French hands, confidence in European officials declined, and was, in the minds of the more radical leaders, completely lost when Syria was lost in July, 1920.

It is difficult to determine just how far Feisal encouraged this nationalistic society. He had been himself president of the Syrian nationalist society and he has been called "the leader of the Arab revolt."<sup>45</sup> But another authority referring to his doubtful connections with the society says that he "was more embarrassed than aided by the chauvinism of its political principles."<sup>46</sup> It is quite evident that Feisal was here much of an opportunist. His whole life had been spent in what was doubtless the greatest storm center of conflicting interests and world forces. He had seen these forces at play always in Arabia, he had seen them at Constantinople, he had seen them during the war itself, and more especially had he seen them in the postwar scramble for place and power. He had been a sort of puppet and pawn among the bargaining powers as he had responded to their beck and call between Damascus and the foreign offices in London and Paris. In Syria he had "hunted with the hounds and run with the hare," until the suspecting nationalists threatened his life if he should continue to support the French. But with it all there is no doubt of his being a true and able Arab, simply seeking for himself and his people a *modus vivendi*. "The Syrians called him pro-French, the French called him pro-British, the British

43. Hoeph, *op. cit.*, p. 31.

44. *Ibid.*, pp. 139-40.

45. Temperly, *op. cit.*, VI, 184.

46. Gertrude Bell, *Review of the Civil Administration of Mesopotamia*, p. 133.

called him pro-Arab. The last is the name he would have chosen for himself," for "always he protested in public that the Arabs had justified their cause and earned their freedom in the fighting they had done. The powers had promised them their independence twenty times, and he believed that it was to be granted, ultimately, by constitutional means."<sup>47</sup> And there went out of the crushed Syria into Iraq, along with all the nationalist sentiment, a distinctly pro-Feisal movement.

### *National Sentiment Aroused*

It was announced, May 3, 1920, that Great Britain had accepted the mandate for Mesopotamia, though the announcement was accompanied by a carefully considered explanation that the ultimate goal was the development of independent institutions. But the news only spurred the nationalist activity. A strange appeal went out for Islamic unity. Here we must recall the great Moslem schism into Sunni and Shiah. The Turks had long held sway in Mesopotamia in part because of their success in setting the sects at loggerheads with each other. But the new nationalism of the West, as was its custom, came with a political appeal designed to transcend this religious dissidence. The rapprochement had already definitely begun in the summer of 1919, when on two occasions Sunnis attended religious meetings in memory of a deceased Shiah *mujtahid*. But in May, 1920, in the month of Ramadan, the political significance of the movement was more in evidence in numerous joint meetings of the opposing sects in honor of the birth of the Prophet. They met by turns in each other's mosques by invitation of the authorities in charge of each individual mosque. On certain occasions Sunni formal ceremonies for Mohammed would alternate with the Shiah ritual for the martyred son of Ali. After the religious services there followed, "in all cases" as "the main features of the gatherings," political speeches and recitations of patriotic poetry. "The Arab is peculiarly susceptible to high-flown oratory." Frantic appeals were made to religion, to patriotism and to Abdullah who, it will be recalled, had, in the preceding March, been nominated to the kingship of Mesopotamia. At one of these meetings a certain young employee of the Auqaf department made a violent speech which the British regarded as dangerous to the public order and he was arrested. This was made an excuse for another meeting with the avowed purpose of relieving the prisoner by force. Then a couple of British armored cars appeared and fired shots over the heads of the crowd, which was immediately dispersed.

47. *London Times*, August 11, 1920, p. 9.

But rumors came from many directions of unrest among the tribes. Teachers in the nationalist schools were found to be agencies of propaganda. Disturbances and attacks occurred along the roads from Bagdad and Mosul towards the west and northwest. On June 3, the Bedouins of the Shammar tribes captured Tel Afar, a small town west of Mosul, and put to the sword the entire British garrison, including two officers and their staffs. A punitive expedition put down the disaffection, but other attacks on British outposts and detachments continued, here and there, throughout June. The *jihād* seems to have been widely preached during the revolt, bringing no little anxiety to the British.<sup>48</sup>

No real civil régime had as yet been established in Iraq. Martial law still reigned. There were certain civil departments working but they were all under the general supervision of the British military command. Since the armistice the activities of the military forces, aside from their services in maintaining order in the country, had been devoted to civil duties. Altogether they had been "running" the country, but they came more and more into civilian service. They had established and maintained lighting systems in the cities; they had done much in sanitation and in hospital service; they had operated railways, telephones, and telegraphs, and repaired and extended roads; they had done all the work in the movement of government stores; they had maintained a fleet of steamers on the Tigris; they had operated farms; they served in many offices and otherwise did purely civilian service. The natives could see little effort to end this abnormal situation, and as to just what the future would be there was only indefiniteness, suspense, and much distrust.

In case of trouble in the country the military units were so broken up, serving on "jobs," that it would be difficult to do effective service in reestablishing order. In the spring of 1920, as a result of permission given in London, the wives of officers and men serving in Mesopotamia arrived in the country in large numbers. They were of all grades of society, "new to the country and in some cases very averse to the rough surroundings inevitable in such an undeveloped part of the world." Two great camps, one at Daurah, near Bagdad, the other at Karind, in the Persian hills, were in process of being laid out for the accommodation of the garrison and their families, all oblivious of the fact that the site of the latter camp was in Persia, and therefore quite beyond British control.

"In both cases the initial preparations were on a most expensive and elaborate scale."<sup>49</sup> The same account says that Karind, in the Persian

48. Bertram Thomas, *op. cit.*, pp. 108-9.

49. Coke, *op. cit.*, p. 184.

hills, away from the heat of Bagdad, was "sufficiently remote from the main camp to insure the holidays of the staff being uninterrupted by any chance of association with the ordinary rank and file." And, although civil authorities acknowledged their anxiety over the disturbed general situation, no attempt was made to discontinue the project; "and when the storm did burst, the garrison, the married families, and an important portion of the technical staff officers were away in the Persian hills, in an isolated position, and several days' journey from the scene of operations."

There were other bad effects. The presence of these women helped to consolidate the rebellious elements in the country. It seemed more than ever that the British were insincere, for colonization had apparently already begun. Besides, "great strength of character and personal restraint are necessary in any European woman undertaking residence in an undeveloped country, especially in the East.... There were many married men who had grave cause to regret their wives had ever been allowed to set foot in Mesopotamia."<sup>50</sup>

The presence of such a large percentage of Indian troops and of Indian officials was a constant source of annoyance to the Iraqis. There were in June, 1920, about sixty thousand troops in Iraq of whom some seven thousand were British. But there were some sixty thousand other Indian followers at army headquarters in various subordinate positions. There had been, too, in recent months, considerable decline in the efficiency of the civil administration. With the reduction of the military forces to a peace basis many of the best men had gone home. Many of these had learned Arabic, had become acquainted with Arab ways, and were in touch with the situation generally. With the supply of substitutes came not only less qualification for service but more laxness. Many of the serious-minded men of the trying former days were absent. "More than once," says Gertrude Bell, "a complete breakdown in the administration seemed imminent."<sup>51</sup> Also, without peace with Turkey it was not possible to define and set up anything like a permanent civil régime. The matter of the mandate was likewise, as yet, undetermined save that it was to be British.

But the worst of the rebellion had not yet come. Word went round among the tribes rather generally that after the spring harvest the attempt to be rid of the British would be widespread and determined. Extremists, meanwhile, were being greatly encouraged by the debates in the House of Commons and by articles in English newspapers which

50. *Ibid.*, pp. 184-5; see also in this connection Harun, *The Real Mesopotamia*.

51. *Review of the Civil Administration of Mesopotamia*, p. 112.

they quoted as evidence that the British mandate was as unpopular in London as in Bagdad.<sup>52</sup> So the announcement by the British government, June 20, that Mesopotamia was to be constituted "an independent state under the guarantee of the League of Nations" and that due regard would be had "to the rights and wishes and interests of all the communities of the country," fell upon deaf ears.

### *Iraq in Revolt*

The revolt was to reach its worst in August. New troops were hastened into the country to the number of about thirty thousand, the preponderance of Indian to British soldiers being about five to one. The whole situation was greatly aggravated by the prevalence of arms among the tribes. It was their custom to bear arms regularly but the war had left them with an unusual supply. It had been recognized even before the war that there was no hope for law and order until the tribes were disarmed. During the war and since the armistice public security had been maintained only by the presence of the British army. With the decline in the number of British forces there had been a distinct effort to collect these arms. By March, 1920, about fifty thousand rifles had been collected in the vilayets of Bagdad and Basra. Following this arms regulations were issued forbidding the bearing, possessing, or dealing in arms without a license. But application of these regulations had hardly begun when the revolt came.<sup>53</sup>

In July the town of Kufa, famous in Arabian annals from the days of the Arab invasions from the West, was invested. About the same time a small British force operating in the Hillah-Kufa area was attacked, resulting in a British loss of twenty killed and 360 wounded. Eighty men of the Manchester regiment were taken prisoner and held for some months. Communication along the Persian railway was soon impossible. Connections with the summer camp at Karind were threatened and the garrison of "wives" was endangered. About the middle of August came the cold-blooded murder of Colonel Leachman, the Arabian student and political administrator, just west of Bagdad on the road to Filujah. Railways and other means of communication between Bagdad and the outside world were so widely intercepted that these outer contacts soon depended upon the loyalty of one or two shieks. It is rather singular that Bagdad, itself the main center of political agitation, experienced comparatively little disturbance at this time. All that was needed was an occasional display of military force

52. *Ibid.*, p. 141.

53. *Ibid.*, p. 111.

in the streets of the city to quell the fashionably dressed coffeehouse politicians.

As for Basra and vicinity, there seems never to have been here any important sympathy for the revolt. This area had been too long and too intimately connected with the British trade interests. One of the great weaknesses of the revolt was its lack of unity and effective leadership. And the resources of the British in the modern scientific means of defense and control made it only a matter of time and necessary attention for restoration of order. As September wore on communication was being again rapidly set up; in October the holy cities yielded to British military pressure—Kerbela first and then Najaf. The garrison at Kufa was relieved and the prisoners of the Manchester regiment were recovered. The small number of British troops, the efficient use of wireless, the bombing plane, and the armored car had done the work. But the Arab whose "sense is in his eyes" was in need of further demonstration of British power. So troops were sent into the more troublesome communities to assess fines in rifles and money. Besides a total of fifty-four thousand pounds in cash, there were reported from these collections some sixty thousand more rifles. But of rifles there seemed to be a continuous and inexhaustible supply. They were to give trouble for a long time to come. The return of Sir Percy Cox from a special mission to Persia in the autumn of 1920 ended the revolt and the stormy régime of Colonel A. T. Wilson, who had been acting civil commissioner in the absence of the former.

The revolt, as we have seen already, came out of Syria and the general background of Arab nationalist aspirations. With the rise of the Turkish national movement there was an attempt to identify the Turkish with the Arab cause since both were nationalistic, both were Islamic, and there were not wanting influences among both peoples tending to restore their former connections. The restoration of this union even appealed to some of the more liberal Arabs who now did not fear the dominance of a liberalized Turkey. There was a definite Bolshevik element in the situation which made its appeal to certain Mesopotamian interests, which aroused anti-British feeling in Persia, and which gave more or less grave concern to British imperial interests. The antagonism between France and Great Britain may have given real cause for French complaint that British encouragement of Arab nationalism was designed against France. Whether Great Britain was guilty of this French charge, it is evident that there was a sort of general laxness of British interest in Near and Middle East issues following the loss of Syria. She had apparently made vicarious sacrifices

in Syria. She had spent hundreds of millions of sterling besides the losses in men. The League of Nations, with its mandatory system under the constant scrutiny of an international mandates commission, promised less and less of that hoped-for treasure in the fabled wealth of Iraq. It had been said that here could be found means of paying the cost of the war. But if Mesopotamia was to be administered as a "sacred trust" in the interests of the natives specifically, and for civilization generally, the vision of paying war debts thereby would turn into a mirage. Yet she was not fully convinced that a utopian era was on, and the immediate thing to do was to preserve the British Empire and restore British prestige. So the Mesopotamian revolt was put down. Meantime British public opinion which is the best informed public opinion on world affairs, was exceedingly critical. They saw British taxpayers under a burden of war debts, not only unrelieved by Mesopotamian wealth, but now greatly increased by the recent cost of putting down the revolt, and worst of all, there was evidence of waste and criminal extravagance. The British, always critical and plain-spoken as to their government, now sought to analyze the whole situation.

Colonel Lawrence, who we will recall was adviser to Feisal during his Syrian campaign, knew something of this matter. The *Manchester Guardian*<sup>54</sup> described him as the one "who knows the modern Arab of the Middle East better than any other Englishman." He was provoked to write a letter to the *London Times* by Lloyd George's statement in the House of Commons to the effect that he was at a loss to know the cause of the revolt. He said, "The Arabs rebelled against the Turks during the war not because the Turk government was notably bad, but because they wanted independence. They did not risk their lives in battle to change masters, to become British subjects, or French citizens but to win a show of their own. . . . It is not astonishing that their patience has broken down after two years. The government we have set up is English in fashion, and is conducted in the English language. So it has 450 British executive officers running it, and not a single responsible Mesopotamian. In Turkish days 70 per cent of the executive civil service was local. Our eighty thousand troops there are occupied in police duties, not in guarding the frontier. They hold down the people. In Turkish days the two army corps in Mesopotamia were 60 per cent Arab officers, 95 per cent in other ranks." This situation "is galling to the educated Mesopotamians. It is true we have increased prosperity—but who cares for that when liberty is in the

54. July 24, 1920, p. 8.

other scale?"<sup>55</sup> He did not see why Englishmen should be killed in making an Arab government in Mesopotamia when that was "the considered intention of His Majesty's government." He would make Arabic the government language. This would necessitate reduction of the British staff and a return to the employment of qualified Arabs. He would use local volunteer troops for policing and take from the country every British and Indian soldier. Thus these people would become as loyal as any one in the empire and "would not cost us a cent."

A major of experience in eastern army service declared through the *London Times* that a nation-state on the Lawrence model was quite impossible. He saw the shibboleths of the twentieth-century statesmen disturbing the Arabian mentality, which is of the sixteenth. "Self-determination" to these tribal folk meant only freedom from taxation and the privilege to murder, rob and plunder at will. The causes of the revolt, however, were manifold. The *Manchester Guardian*<sup>56</sup> believed that Great Britain had "no doubt given the Arab population an interesting object lesson in efficiency, but there are things dearer to the human heart, and to the Arab heart in particular, than efficiency, especially when that is paid for at a stiff price. The Arabs have less liberty than they had under the Turks and they pay three times as much in taxes." The Turkish barbarity was tempered by the want of method whereas British efficiency had shown itself by coercion. We shall see later no little evidence of the truth of this editorial view. Both these leading English publications supported rather ardently the League of Nations' conception as contained in article 22 of the covenant.

The *Times*,<sup>57</sup> too, believed that the system attempted in Mesopotamia had been too elaborate. It seems that they wanted to begin where Cromer left off in Egypt. What they have sought in administration will not be needed there in fifty years. Hundreds of excessively paid officials have been imposed upon backward peoples. The rate of taxation was enormously in excess of that in India, although Mesopotamia has been half-derelict for centuries, is notoriously impoverished, and has been ravaged for years by war. They were trying to maintain this unjust system by an army force nearly equal to half the size of the standing army in India, in the years just before the war, where the population was a thousand times as great. Why look further for the cause of the revolt!

55. *London Times*, July 23, 1920, p. 15.

56. Editorial, July 24, 1920, p. 9.

57. *Times*, August 23, 1920.



The *London Nation* gave as its opinion that "thousands of lives, British and Indian, will be sacrificed, and every death in Mesopotamia lies directly at the door of Mr. Lloyd George and his colleagues. Meanwhile the world looks on with malicious amusement at the spectacle of justly punished perfidy."

Thus Great Britain fought to maintain her hold on the Arabs whom she had fought to free in the great war. It is evident that she and France wanted more out of the Turkish débâcle than the mere freedom of the Arabs. But in the case of Great Britain there was a wholesome public opinion, which not only drew back from the excessive taxation incident to the government's imperial project in Mesopotamia, but which had the new vision of human relations. It was this forward-looking social philosophy from Great Britain, mingled with the more virile elements of human uplift from America which became the new wine in the old bottles of Arabian life in the years following the war. In the competitive workout between the old ideas and new, the former won in crushing the Iraqi revolt, rather than yielding to the demand for withdrawal, but the latter won in a chastening of British imperialists and in a liberalization of Anglo-Iraqi policy.

## Chapter Five

### COLONY, MANDATE, OR TREATY?

WE HAVE SEEN GREAT BRITAIN come into the occupation and control of much of the Near and Middle East. This was the fourth great European invasion of western Asia. The first two by Greece and Rome, respectively, were almost purely imperialistic. The third, at the time of the Crusades, whether or not predominantly Frankish as the French now claim, was at least a feeble concert of Christendom against Islam. It was an effort of declining religious control in the West mingled with larger measures of the rising secular and nationalistic elements from that quarter. It was an inchoate medieval imperialism projected too far in distance and in complexity of factors involved, to result in permanence of control. The fourth and last had now come with the twofold purpose of military victory and imperial expansion. As for winning the war there was a measure of Allied concerted action.

However, owing to the evenly matched struggle on the battlefields of Europe, Great Britain was the only one of the great powers left with sufficient resources to attack the enemy at widely separated points. It was thus that she came, for a short period, into complete supremacy of a large portion of Arab lands. If her imperial rivals could offer only feeble military effort here, their aggressiveness in secret diplomacy was, as we have seen, more vigorous than ever. All in all it was a general convergence upon the domains of the "sick man" of Europe whose demise was anticipated. We have seen, too, something of how Great Britain and France emerged from their joint struggle against Germany to initiate another struggle between themselves, with respect to Syria. But in the midst of all the manifestations of the sordidness of the old order something new was now to come into the world situation. It was to come essentially from the United States—the last western frontier of liberalism where, in detached and disinterested position, human interests as a whole stood out in somewhat clearer and broader outline.

## *Wilson and the Mandatory System*

In presenting the covenant of the League of Nations at the plenary session of the peace conference, February 14, 1919, President Wilson said, "We are done with annexations of helpless peoples, meant in some instances by some powers to be used merely for exploitation. . . . In all cases of this sort hereafter it shall be the duty of the League to see that the nations which are assigned as the tutors and advisers and directors of these peoples, shall look to their interests and material desires of the mandatory nation itself. There has been no greater advance than this, gentlemen."<sup>1</sup> Wilson had been greatly interested in this particular provision of the covenant. While General Smuts is due much credit for the mandatory system, the American President must have a larger share of the honor. Professor Seymour, in discussing the claim that Wilson took over Smuts' mandatory ideas,<sup>2</sup> says, "He doubtless sharpened his ideas regarding the mandatory principles as a result of his study of General Smuts' pamphlet on the League but he certainly had it in mind before he reached Europe. On December 10, on the 'George Washington,' he explained his hope that territories conquered from the enemy, especially in backward portions of the world should become the property of the League."<sup>3</sup> It is said that Louis Beer gave to Colonel House, January 1, 1918, a memorandum on Mesopotamia (written a year earlier), containing the idea of trusteeship. This paper probably went to Wilson at the time he was preparing his Fourteen Points. Professor Shotwell regards this as the first project for a "mandate in the sense in which it went into the Treaty."<sup>4</sup> The same idea is in the fifth point, and House, in his interpretations of the Fourteen Points during pre-armistice conversations, developed the mandate idea.<sup>5</sup>

It is one thing to suggest a plan, but it is quite another to get it accepted. Here again the Americans functioned. One of the hardest fought battles of the peace conference was over the question of annexations. This struggle came especially in connection with the disposal of the German colonies but they were only a part of the conquered territories of which some disposition had to be made by general plan. It is quite evident that the brunt of the battle against annexations fell

1. David Hunter Miller, *Diary*, XX, 11-12. Wilson's entire address is given here.

2. For this claim see Ray Stannard Baker, *op. cit.*, I, 224-7.

3. *The Intimate Papers of Colonel House*, IV, 54, note.

4. *Ibid.*, p. 284.

5. *Ibid.* As to the development of Smuts' ideas on this subject see *Round Table*, December, 1918, and March, 1919, pp. 26-8; and Quincy Wright, *Mandates under the League of Nations*, note, pp. 22-3.

upon Wilson and House. The main antagonists were Lloyd George and Clemenceau. In the crisis Lloyd George called the colonial premiers to his aid.<sup>6</sup> Hughes of Australia and Massey of New Zealand appear to have been the most ardent, if not the most influential, of British annexationists. House reports that discussions on this subject, January 30, 1919, resulted in all of the Big Three becoming angry. He says, "It is the first time the President has shown any temper in his dealings with them." But House felt like congratulating the British for they "had come a long way" in their willingness to meet us more than halfway."<sup>7</sup> Sir William Wiseman records that as he walked with Lloyd George, following the meeting at which all were angry, he pointed out to Lloyd George "the necessity of coming to an agreement on these questions with the President through House and not discussing them at the conference."<sup>8</sup> *The final solution came on the basis of General Smuts' plan with different degrees of mandates. And this flexible feature, as we shall see, was even to be extended to the "A" mandates with special pertinence to Iraq.*

When the President presented the finished covenant it was the mandatory system which seemed to impress him most. It was that system which provoked his remark, "There has been no greater advance than this." The trustee idea not only would carry a humanitarian program to backward peoples, but it would also disarm the rampant politico-economic imperialists.

The adoption of this new idea by a plenary session of the peace conference would, however, mean nothing unless the covenant be incorporated in the final treaty. This, too, was an American victory and in a sense the greatest of all the long series of victories in this connection. For without it the rest would mean nothing.

Wilson's demand for an Allied commission to determine the wishes of the newly liberated Arab peoples seems to have been the last of his efforts directly in line with their interests. The failure to send this commission is further illustrative of the fight by France and Great Britain for the old colonial system. Whatever obligations to the principle of self-determination these states had assumed, whether on the basis of the entrance of the United States into the war, of the terms of the armistice, or of their declarations to the Arabs, seemed not to trouble their imperial consciences. When the Americans had waited two months for the dispatch of the proposed Allied commission Wilson sent his own King-Crane commission, to which reference has already

6. Seymour, *op. cit.*, pp. 294-5.

7. *Ibid.*, p. 299.

8. *Ibid.*, note.

been made. The question as to who should have the mandates had, however, according to David Hunter Miller, virtually the tacit consent of all the Supreme Council (January 30) long before Wilson's suggestion of a commission (March 20).<sup>9</sup> But the King-Crane commission's first-hand study<sup>10</sup> would be a great satisfaction to the Americans, especially to Wilson, as well as to liberals everywhere. It was a procedure called for by the accepted principle of self-determination and opposition to it by the British and the French indicated that they entertained fears as to the results.

### *The King-Crane Commission and Iraq*

This commission did not visit Mesopotamia but a committee of representative Mesopotamians called on it at Aleppo and presented a program for their country. The commission's summary of this program is as follows:

- "1. Mesopotamia should be completely independent, including Diarbekir, Deir-er-zor, Mosul, Bagdad, and Muhammerah.
- "2. The government should be a constitutional civil kingdom.
- "3. The king should be a son of the king of the Hedjaz, either Abdullah or Zeid.
- "4. Article 22 of the Covenant of the League of Nations is protested against.
- "5. No outside government should interfere in the country.
- "6. After the recognition of independence, technical and economical assistance is to be asked for from America.
- "7. Objection is raised to all immigration and especially to that of Hindus and Jews.
- "8. The complete independence of Syria is asked for.
- "9. It is asked that there be no interference of France in Syria."<sup>11</sup>

The leader of the committee presenting this program was Jafa Pasha, then military governor of Aleppo and later prime minister of Iraq.

The Mesopotamians, insofar as an expression was obtained on this point, wanted America as a mandatory power and expressed no second choice. The commission says that "undoubtedly there has been a good deal of feeling in Mesopotamia against Great Britain," but it thought that many of the things of which the people complained were justified

9. *The Drafting of the Covenant*, I, 114.

10. They studied Turkish conditions for two months in Paris, with vast sources at their disposal, before going to the Orient.

11. "Report of Commission," in *Editor and Publisher*, Vol. LV, No. 27 (2d ed.; December 2, 1922), p. viii.

in a time of military occupation. The commission noted, however, that the British had made an effort to canvass the wishes of leading Mesopotamians as regarding a mandatory, and that they had found "unquestionably good evidence" of opinion favorable to a British mandate, though being reported to British officers, it was somewhat more favorable than it would otherwise have been. The commission recommended that Great Britain be offered the mandate since America had already been recommended as the mandatory power for Syria and Asia Minor.<sup>12</sup> They also recommended that the unity of Mesopotamia be preserved. "It should probably include at least the vilayets of Basra, Bagdad, and Mosul. And the southern Kurds and Assyrians might well be linked up with Mesopotamia. The wisdom of a united country needs no argument in the case of Mesopotamia."<sup>13</sup> It is well to keep these recommendations in mind for comparison with the results in the final determination of these much mooted issues. They were mainly in harmony with Syrian petitions which the commission assumed to reflect the feelings of Mesopotamians, as 68.5 per cent of the Syrian petitions asked for Mesopotamian independence.<sup>14</sup> The program of a special Syrian congress, presented to the commission (July 2, 1919), also requested independence for Mesopotamia.

The desire for France as a mandatory was everywhere negligible except in Lebanon. The Syrians wanted the United States as first choice and Great Britain as second. The appeal for the United States by individuals and by groups was widespread and often impassioned. The commission's recommendations as to Syria were in harmony with the expressed wish of the people. Feisal stated that America and Great Britain were equally satisfactory to him, but in his inmost heart, it was thought, he doubtless preferred Great Britain. This was perhaps due to the fact that he had received and was still receiving benefits from that country and because of the better prospects of a speedy and larger union of Syria, Mesopotamia, and other areas under the same unified supervision.<sup>15</sup>

### *Feisal and the Arab Problem*

It is evident that Iraqi problems cannot be studied satisfactorily without including the whole Middle East. It is particularly necessary to include in our consideration the whole Arab situation, and most especially Syria. The main reason for considering Arab problems as a

12. *Ibid.*, p. xi.

13. *Ibid.*

14. *Ibid.*

15. *Ibid.*, p. xx.

whole is that there exists a real Arab movement.<sup>16</sup> If the Bedouin has no particular national consciousness, the more settled portions of the race do have it, and it is very much in the minds and programs of Arab leaders. Such movements usually manifest themselves at first only, and for a long time most forcibly, in the leaders themselves.

Feisal in his memorandum to the peace conference says, "I came to Europe, on behalf of my father and the Arabs of Asia, to say that they are expecting the powers at the conference not to attach undue importance to superficial differences of condition...." His people ask "that no step be taken inconsistent with the prospect of an eventual union of these areas under one sovereign government."<sup>17</sup> He did not include the Yemen and Nejd in his idea of an Arab federation. If argument was needed in justification of the Arab's ideal of unity he would point to "the general principles accepted by the Allies when the United States joined them," to their splendid past and to the tenacity with which the Arab has resisted Turkish absorption for six hundred years. He saw, however, that the various provinces were so different economically and socially that they could not be constrained into one centralized government at once, notwithstanding railways, telegraphs, and air roads have recently done much to develop common ideas among Arabs.<sup>18</sup>

As for Syria, he wanted her free, though he recognized her need of advice. He was careful to state, however, that the Syrians wanted to "pay cash" for their advice, that they did not want to sacrifice any part of their freedom for it. At this time he anticipated being king of Syria. His lack of direct interest in Iraq at the time led to a statement which is hardly consonant with his later demands for Iraq freedom. His memorandum says, "The world wished to exploit Mesopotamia rapidly and we therefore believe that the system of government there will have to be buttressed by the men and the material resources of a great foreign power. We ask, however, that the government be Arab,

16. Sir J. D. Rees, who is said "to have great knowledge of the East," expressed in the House of Commons, July 14, 1929 (*Parl. Debates*, Vol. 144, col. 1532), a view quite contrary to the above. He said, "There is no such thing as an Arab nation. . . . There is no relation between the Arabs of the Persian Gulf and the Red Sea, and the Arabs on the Arabian Sea and the Arabs upon the Syrian side, these different sections of the Arabs being divided by immense wastes of sand, which completely cut off any intercommunication whatever, and will always prevent anything like any agglomeration of common interests, indeed, any real identity of habits or, to a great extent, of language."

The remainder of this speech, however, is devoted to the proposition that Great Britain should keep Mesopotamia in order to recover from Mesopotamian oil sufficient profits to cover the vast expense which the British had incurred there.

17. David Hunter Miller, *Diary*, IV, 299.

18. *Ibid.*, pp. 297-8.

in principle and spirit. .... The main duty of the Arab government there would be to oversee the educational processes which are to advance the tribes to the moral level of the towns."<sup>19</sup> But he stated later that the Arabs expected the conference "not to consider them only from the low ground of existing European material interests and supposed spheres." These remarks of Feisal regarding Iraq, a country in which he is not at the time directly and personally concerned, are most interesting to keep in mind unto the day when the fates have otherwise disposed of his royal destiny.

T. E. Lawrence, Feisal's adviser during the war, and Gertrude Bell, of Iraq fame, were at Paris for the peace conference. Both worked intimately there with Feisal and doubtless their views, especially those of the former, went into his memorandum. Feisal's special concern for Syria and his persistent and determined opposition to the French mandate there would indicate that his hopes of a British Syrian mandate very likely had inspiration in British sources.<sup>20</sup>

#### BRITISH AND FRENCH AGREEMENT ON TURKISH MANDATES

But in spite of the joint British and Arab conquest of Syria, in spite of all the American influence, and in spite of all the surveys and expressions of opinion relative to self-determination, the spirit of the old Sykes-Picot secret treaty was to be carried out in Syria, and Feisal and the British had to look farther east for a throne and an Arabian mandate.

At San Remo, on April 25, 1920, the Supreme Council conferred the Turkish mandates upon Great Britain and France. The spirit of the Sykes-Picot treaty thereby again suffered no serious infraction and little regard was thus had for the wishes of the people. We have seen something of how the announcement of British acceptance of a mandate for Iraq was received in Bagdad and vicinity. It was one of the factors of the Iraq revolt during the following summer.

The setting up of a British mandate in Iraq involved more than the simple and arbitrary activities of the Supreme Council at San Remo. Great Britain was not France and Iraq was not Syria. The Iraq revolt of 1920 following the failure of self-determination in Syria had taught its lesson to the more experienced and more liberal British. A new order of things was begun with the return of Sir Percy Cox to Iraq in the fall of 1920. The new political régime must assume its main features before the mandatory relationships could be completed.

19. *Ibid.*, p. 298.

20. See Robert Graves, *Lawrence and the Arabian Adventure*, p. 390.



While the High Commissioner was absorbed in the serious business of creating a provisional government for Iraq there came a call for him to attend, at Cairo, March, 1921, a conference on British imperial questions of the Near and Middle East. The meeting which had been called by Winston Churchill, Secretary of State for the Colonies, included many imperial officials of the area particularly concerned. Lawrence was brought along from London, and Gertrude Bell, with various other Iraqi officials, accompanied Cox to the conference. The main theme of Churchill's speech on this occasion was imperial economy, and this subject received great emphasis. It was particularly in connection with Iraq that the British public had criticized governmental waste. This criticism had become a favorite theme in the parliamentary debates of 1920 and 1921. It was brought out there that Iraq had cost British taxpayers between seventy and eighty million pounds during the year 1919-20, and that the revolt of 1920 alone had cost about twenty million pounds. Between the armistice and Churchill's durbar at Cairo, Iraq had been a charge against the exchequer of over one hundred million pounds.<sup>21</sup> The conference therefore had a very definite bearing upon British policy in Iraq. Churchill referred here "with justifiable pride to the torch of civilization now to be kindled anew in Bagdad."<sup>22</sup> But the curtailment of imperial expense in Iraq would involve further relinquishment of British control there. That could best be done by hastening the establishment of the national government.

The Iraqis had talked of an Arab emir at Bagdad since the days of the armistice and the Anglo-French declaration just following.<sup>23</sup> The whole affair regarding the Iraq kingship was arranged at Cairo. Feisal was chosen.<sup>24</sup> In the House of Commons on the following July 14, in connection with discussions on this subject, Churchill said that the candidacy of Feisal "has progressed favorably." He added, "I am leaving this matter to Sir Percy Cox, in whom I have the greatest confidence."<sup>25</sup>

Upon Cox's return to Bagdad, after a six weeks' absence, he found that Saiyid Talib Pasha had toured the country south of Bagdad in an

21. *Parl. Debates*, July 14, 1921, Vol. 144, cols. 1525-6.

22. S. H. Slater, "Iraq," *Nineteenth Century*, XCIX, 480. Slater was financial adviser for Iraq and went with Cox to the conference. In this article he gives an interesting account of the Cairo meeting.

23. Lady Bell, *op. cit.*, II, 523.

24. Slater, *loc. cit.* Gertrude Bell, referring to Iraqi national sentiment, said, "This is the sentiment which we want to foster and as it is held exclusively by sharifians, they are the people for us to back as we decided at Cairo" (Lady Bell, *op. cit.*, p. 592).

25. *Parl. Debates*, 1921, Vol. 144, col. 1629.

extensive propagandist campaign, ostensibly in favor of the candidature of the naqib of Bagdad, but really for his own elevation to the throne. The upshot of this was that Saiyid Talib Pasha was deported.<sup>26</sup> In the meantime, Iraqis who had returned from Syria were active for a sherifian emir. They sent a telegram to King Hussein "begging him to send one of his sons as a candidate for the throne of Iraq."<sup>27</sup>

It was soon evident that all of the other rather numerous candidates were out of the running. The vernacular press of Bagdad came to favor Feisal and was able to announce, June, 1921, that this royal son had left the Hadjaz for Iraq. On July 11, according to the proposal of the naqib, who was president of the Council of State, that body unanimously adopted a resolution declaring Feisal "King of Iraq, provided that His Highness' government shall be a constitutional, representative, and democratic government limited by law."<sup>28</sup> In order that this king-making might have the semblance of government by the consent of the governed a survey was now made of the popular will. This survey,<sup>29</sup> frequently called a farce by the opponents of British rule in Iraq (most of the critics being British), was carried out by the ministry of the interior under the supervision of the Council of State. It consisted in recording the opinion of representative committees in the various political divisions of the country as to whether they approved or disapproved of the above resolution. The canvass covered the entire country except the Sulaimani *liwa*, inhabited mainly by southern Kurds, which took no part in this election.<sup>30</sup> The results of the referendum gave, according to the High Commissioner, 96 per cent for

26. *Report of High Commissioner*, 1920-22, pp. 10-11. He had appealed to French and Persian influences in his campaign against the sherifian candidate.

The sensitiveness of the French to the question of Feisal's elevation to the kingship in Iraq is later shown by the fact that when Feisal made his appearance in Iraq the French press at once published reports to the effect that Feisal had asserted his intention of reconquering Syria. Churchill at once inquired of Cox as to the truth of this report and found it wholly without foundation. Cox took occasion to say at that time that Feisal was very friendly towards the French and regretted what had happened between him and the French in Syria (*Parl. Debates*, 1921, Vol. 145, col. 663).

27. *Ibid.*

28. See *Parl. Debates*, 1921, Vol. 144, col. 1630; also *Report of High Commissioner*, 1920-22, p. 14.

29. Referring to the election of Feisal, Lieutenant Colonel Fremantle, who had served in Iraq, said in the House of Commons, "The account that the secretary of state gave us of the election . . . is more absurd than anything I could imagine ever to have been stated in this chamber. . . . Is it for the purpose of putting us right in the eyes of the world?" He sees the illiterate oriental as not knowing what it is all about. "We arranged and hope that it is all for the best, but for God's sake let us drop this sham of democratic government for Orientals by themselves" (*Parl. Debates*, Vol. 151, cols. 1597-8).

30. See Lady Bell, *op. cit.*, p. 533.

Feisal. The remaining 4 per cent came mainly from Turkish and Kurdish populations of Kirkuk.<sup>81</sup> While in this liwa Feisal was rejected, no alternative choice was expressed.

Arrangements were made for the accession on August 23. On that date, and "in the presence of representatives of all local communities and of deputations from every liwa of 'Iraq, except Sulaimani and Kirkuk," says Sir Percy Cox, "I proclaim H. H. the Amir Faisal to have been duly elected king of the 'Iraq and announce his recognition as king by His Britannic Majesty's government."<sup>82</sup> Following this ceremony the son of the naqib gave a prayer of thanksgiving and the new king delivered "a brief and moving oration." He emphasized the need of a "strong and close coöperation between himself and his people, without distinction of class or creed, together with the maintenance of the alliance between the 'Iraq and Great Britain, to be embodied in a treaty which would be confirmed by the national congress."<sup>83</sup> The ceremony of this cut-and-dried process was completed by Cox's presenting to Feisal a congratulatory telegram from George V. His Britannic Majesty said, "It is a source of deep gratification to myself and my people that combined military effort of British and Arab forces and those of their Allies has culminated in this memorable event." It was a "historical and moving occasion" to see the ancient city of Bagdad "again become the seat of an Arab kingdom." Feisal in reply naturally saw it as an "auspicious day when Bagdad, the city of the khalifs, has become for the second time the capital of an Arab kingdom." "I recall, with pride," he says, "how white has been the hand of your Majesty and your noble people in the achievement of Arab aspirations."<sup>84</sup> Thus is established by Great Britain, in the seat of the Abbassids, a new line of kings, the sherifian house, directly descended from the Prophet Mohammed.

### *The Form of the Mandate*

The new policy in Iraq under the vigorous administration of Cox and the new colonial secretary, was now well on its way in the establishment of a native government for the Iraqis. But what form should the mandate assume?

We have seen how the baffled Syrian opposition to the French occupation and mandate receded more or less into Iraq where it was to make a more determined stand against the foreigner in that area. This reaction, mingled with the general Arab tendencies towards nationality,

31. *Report*, 1920-22, p. 15.

32. *Ibid.*

33. Adapted by Cox, *ibid.*

34. *Ibid.*, pp. 15-6.

as we have seen, was largely responsible for the Iraqi revolt in 1920. Aversion to the British mandate manifested itself naturally, therefore, immediately upon the announcement of British acceptance of that mandate in May, 1920. It was, of course, unfortunate that this definite step towards setting up the mandatory relationship came at a time when there was already a serious divergence of views between the British and the Iraqis.

"It was extraordinary with what aversion the mandatory idea had always been regarded in 'Iraq,'" Sir Percy Cox says. "The mere terms 'mandatory' and 'mandate' were anathema to them from the first, for the simple reason, I am convinced, that the words translated badly into Arabic, or rather were wrongly rendered in the Arabic press when they first emerged from the peace conference. I assume the term mandatory to have been introduced by its sponsor, President Wilson, in the particular and recognized sense of 'one who undertakes to do service for another with regard to property placed in his hands by the other'; the 'other' in this case being the League of Nations, while the 'mandate' is the contract under which service is performed. But it was taken in Iraq in its other sense of an authoritative requirement, as by a sovereign; and the 'mandatory' as one who exercised the authority."<sup>35</sup>

Gertrude Bell, who was intimately connected with the people and officially a part of the British control throughout all these critical years in Iraq,<sup>36</sup> writes (May, 1921) that "the word mandate isn't popular and a freely negotiated treaty would be infinitely better liked, besides giving us a much freer hand. We have always known that Feisal would ultimately insist on a treaty in place of a mandate—now we have the opportunity of making a *beau geste* and giving of our own accord what we should certainly have had to give later at his request."<sup>37</sup> It should be noted that Feisal had not yet come to Iraq, but Miss Bell, Lawrence, and Sir Percy Cox had arranged at Cairo for his coming, and they knew his desires. She stated in this same letter that "Sir Percy has urged that we shall drop the mandate altogether and go for a treaty with the Arab state when it is constituted." All this crystallization of opinions and plans at Cairo, it should be remembered, took place with the full realization of the meaning of the revolt of the preceding year.

Churchill's expression of utmost confidence in Cox's ability to deal with the situation in Iraq would indicate that Sir Percy was left much to his own diagnosis of that situation. Miss Bell's intimate official co-

35. In Lady Bell, *op. cit.*, pp. 535-6.

36. She was connected with Sir Percy Cox's secretariat.

37. Lady Bell, *op. cit.*, p. 593.

operation with the High Commissioner would also indicate that they were in full agreement as to policy. The expression, therefore, of a desire for a "much freer hand" in Iraq goes far in proving that a mandate was objectionable to His Britannic Majesty's leading officials in Iraq as well as to the Iraqis themselves. The circumstances were entirely favorable to British official encouragement of the anti-mandate movement among the natives.<sup>38</sup> But this anti-mandate attitude of British officials in Iraq did not mean that they favored British evacuation. It meant that they favored a treaty relationship with Iraq which would not only relieve the Iraqi mind of the fear of a disguised protectorate under a mandate, but which would also give the British a "much freer hand" in this "new Egypt."

On the question of evacuation Sir Percy Cox said that when "asked (1920) for my opinion as the officer on the spot, I replied that to my mind evacuation was unthinkable; it would mean the abandonment of the mandate and of the seven or eight millions worth of capital assets which we have in the country; the complete violation of all the promises we have made to the Arabs during the war, . . . that an evacuation, which would arouse the active resentment of the betrayed inhabitants, could only be carried out without bloodshed if at least another division were sent to see it safely through."<sup>39</sup> And as representative of opinion in the colonial office it is well to note a statement from Churchill in the House of Commons, June 14, 1921:

"I cannot say in regard to Mesopotamia that there are primary, direct, strategic British interests involved. The defense of India can be better conducted from her own strategic frontier. Mesopotamia is not, like Egypt, a place which in a strategic sense is of cardinal importance to our interests; and our policy in Mesopotamia is to reduce our commitments and to extract ourselves from our burdens while at the same time honorably discharging our obligations and building up a strong and effective Arab government which will always be the friend of Britain and I will add, the friend of France."<sup>40</sup>

The whole question of what to do with Iraq was, at the time, exceedingly complicated. But if complicated, it was the more interesting;

38. It should be said of Gertrude Bell, however, that she was an ardent friend of Iraqi nationalism. S. H. Slater says of her (*Nineteenth Century*, XCIX, 491-4) that "the brilliant Oriental secretary to the High Commissioner," by her "inextinguishable enthusiasm and astonishing versatility," has at every stage inspired and stimulated the national government. He further says that she has practiced Coufism on Feisal until he is about to believe in himself, but "not all the wizardry—or should we say witchery?—of Miss Gertrude Bell can prevail over the plain fact of the insufficiency of the Feisal kingdom."

39. In *Lady Bell*, *op. cit.*, p. 526.

40. *Parl. Debates*, Vol. 143, col. 276.

it was even dramatic when considered from the standpoint of the forces at play and prospective objectives in view. British public opinion on colonial and imperial questions was in process of fundamental change. The British government, sensitive to that change, followed suit, but at a distance and with an uncertainty of policy made the greater by the evolving new internationalism. Initiation of the mandatory system halted for the want of precedent and technique. Both the old order and the new may have expressed themselves through the Supreme Council at San Remo with a sort of dictatorial finality, but after all of that sort of procedure in the recent war and peace, should not the new order be based upon law? In the first place, the diplomatic hounds had run ahead of the fox in distributing Turkish mandates when no peace had been made with the Turks. And what was the authority of the League of Nations in the distribution of mandates and in the determination of other provisions connected therewith? There was the rising and formidable anti-mandate movement in Iraq with one serious insurrection behind it already. And then the United States had registered a stubborn opposition to the proceedings at San Remo. It was evident that, if there were to be an Iraq at all, it must, under the complexity of existing circumstances, be nothing less than a world-made Iraq.

As to the place of the League in this involved situation the following from an editorial in the *Manchester Guardian*<sup>41</sup> is illustrative of the confused opinion in this formative period of League history:

"We are supposed to have or to be about to acquire a mandate for Mesopotamia. According to Mr. Lloyd George we are to receive the mandate from 'the Powers' presumably the powers that signed the Turkish treaty. The Prime Minister in so many terms repudiates the contention of Mr. Asquith that mandates are to be given by the League. If that is the intention of article 22 of the Covenant, we can only say that a situation has been created which is so anomalous that every well-wisher of the League must strive to bring it to an end. It is perfectly true that the words of the article are not explicit. It does not say who are to appoint mandatories, but simply speaks of 'advanced nations' which are to exercise tutelage over others 'as mandatories on behalf of the League,' or, as the French version has it, 'in the name' of the League. Now whose mandatory are we to be in Mesopotamia—the mandatory of the League or of the Allies? To which are we responsible? Of this there is no question, for article 22 goes on to prescribe that the mandatory is to render an annual report on the

41. June 26, 1920, p. 10.

territory commended to its charge to the Council of the League, and the Council is to have a commission to advise it on the observance of mandates. The position, then, taken by Mr. Lloyd George is that we are the mandatories of one set of people, but responsible to another set of people for the execution of the mandate. That is a double position, incompatible with the notion of a mandate, and will not work. Everything done without the authority of the League should be treated as provisional, and should not be referred to the League for authorization. In particular the government should scrupulously observe the requirement of the article that the degree of authority, etc., to be exercised by the mandatory should be either agreed upon by the members of the League—not the Allies alone—or what is better, be strictly defined by the Council.”

But so far as the League itself was concerned it assumed no such responsibilities as referred to above. In M. Hyman's report to the Council of the League, August 5, 1920, concerning the League's obligations under article 22 of the Covenant is the following: “There is one point on which there seems to be no divergence of opinion, namely, that the right to allocate the mandates . . . belongs to the principal Allied and Associated powers. Article 22 . . . makes no provision regarding the authority which shall appoint the mandatories. . . .” He goes on to say that the peace treaties, including the draft treaty with Turkey, contain articles giving either the principal Allied and Associated powers, or the principal Allied powers, the right to make such allocation.<sup>42</sup> “There can be no question,” says the report, “as to the intentions of the authors of the Covenant with regard to this question.”<sup>43</sup> Hyman was content to say on this point that “the mandatory powers must be very carefully chosen.”<sup>44</sup> The irony of this careful choosing was already in the records of the San Remo conference of the preceding April. In the resolution which Hyman presented at the conclusion of his report, and which was adopted by the Council, are the provisions that the principal powers shall not only allocate the mandates, but that they shall determine “the frontiers of the territories” concerned as well as “the terms and the conditions of the mandates.” And the “Council will take cognizance” of this procedure in order to ascertain whether the terms of the mandates “conform to the prescriptions of article 22 of the Covenant.”<sup>45</sup>

42. The presumption was that since the United States had not declared war on Turkey she would not participate in the allocation of Turkish mandates.

43. *League of Nations Official Journal*, Eighth Session of the Council, I, 336.

44. *Ibid.*, p. 335.

45. *Ibid.*, pp. 340-1.

On this same day (August 5, 1920) there was addressed a letter to the prime ministers of the principal Allied powers telling them of the adoption of this resolution and making "a pressing request" that they "be so good as" to do all the above-named things as their part in setting up the mandatory system. On October 28, Hymans reported to the Council that the "A" mandates (for the Turkish territories) were expected "very shortly," which was "all the more satisfactory since the treaty of peace with Turkey has not yet come into force." It was thus evident that the Council proposed to assume no responsibility for whatever illegality might attend the consummation of Turkish mandates preceding ratification of a Turkish treaty. The presumption seems to have been that the powers were in these territories by right of conquest, or, at any rate, the populations there were greatly in need of an ordered life. At this point in the development came a sudden and unexpected delay from the fact that the United States, though not a member of the League and not having coöperated with the Supreme Council since the fall of 1919, demanded a voice in the proceedings. There were also to be other factors in the delay, as we shall see. In the meantime British opinion, which is lively and active, took more definite form.

It was bluntly asserted in the British political campaign of 1918 that Mesopotamia was a very rich country and would help pay the cost of the war if the British took it over. But at the peace conference David Hunter Miller found much British opinion against any further extension of the empire. It was big enough and "this sentiment was reflected among some of the most responsible British representatives at Paris."<sup>46</sup> This wide difference of opinion continued in parliamentary debates and in the press throughout the following years. The most strenuous demand for evacuation came with the revolt of 1920 and the ever mounting burden on the British.

As early as the summer of 1920 two distinct schools of British thought on the subject had appeared. One "believed that the Arabs, rescued from Turkish rule, might look for a self-respecting future." It "welcomed the prospect of the setting up of a series of Arab states with the promise one day of a federation of Arab communities. . . ." The other held them potentially incapable and bound to be under one master or another—pawns of the great powers. It saw them as "so much raw material for the administrative industry and talent of the British race." It saw the British right to make the most of the oil and

46. *Foreign Affairs*, VI, 281.



other resources of Mesopotamia for their own aggrandizement.<sup>47</sup> By 1925 a prominent writer could list three schools of thought as to Iraq. One would clear out of the country "bag and baggage" because of expense and in fear of Turkish attempts at reconquest of Iraq. The second would abandon everything except Basra, which would be sufficient for British supremacy in the Persian Gulf, for the control of Iraq trade, and for the security of Anglo-Persian oil. The third group, and that had now come to predominate in the British cabinet, would hang on to Iraq at all costs. They saw it as a second Egypt.<sup>48</sup>

Some had referred to Iraq as an oriental Canada, a granary of the world. British money had poured into development projects just after the war, especially, into irrigation and kindred agricultural enterprises. But this enthusiasm for investment in Iraq was greatly reduced by subsequent events. Even after more definite Anglo-Iraq relations had been determined, the press war against British policy there continued. In 1923, one writer who had lived in Iraq said that all the talk about a granary there was nonsense. The irrigation system would cost too much, and if completed there would be no one to use it. "The average British taxpayer is, I believe," says he, "so sick of Mesopotamia that he would willingly see deported to Bagdad all the people who are in favor of the retention of the mandate...." Why should they lose prestige in leaving Iraq when they had evacuated Ireland without doing so?<sup>49</sup> But one militant Britisher said that "so far as our interests in the Persian Gulf were concerned—and, on these depended the safety of India—the outbreak of the war with Germany in 1914 was a positive blessing. The Hun had made no secret of his designs in the East."<sup>50</sup> Another imperialist took the colonial office to task for not having seen Middle East problems in terms of imperial interests. They

47. Editorial, *Manchester Guardian*, July 24, 1920, p. 8.

One writer, as a means of recouping the expense of which the *Manchester Guardian* complained, saw the following resources in Iraq: (1) the oil in Mosul; (2) the almost "fabulous productivity of soil"; (3) it was about the only route by which Lancashire goods could reach central Persia and beyond; (4) the "historical and artistic monuments, often in precious metals, which are seen in almost every acre of ground of that historic country." Referring to the activities of the French and Germans there before the war, he says, "If they spent millions, what they have discovered is worth tens of millions." He agreed with Lloyd George that the British must not allow the presence of oil and rich soil as arguments against their remaining in the country (*Manchester Guardian*, July 20, 1920, p. 14).

48. The Right Hon. Lord Raglan, "The Situation in Iraq," *English Review*, XLI, 481-2.

49. Geo. C. Buchanan, "Why Do We Remain in Mesopotamia," *Nineteenth Century*, XCIII, 764-5.

50. Edmund Chandler, *The Long Road to Baghdad*, II, 278.

have seen Moslem countries in sections, not as a whole. He desired a "permanent consultative body" of men, with the "final word" in determining British policy in Moslem countries, "who really link up the policy in such centers as Cairo, Jerusalem, Amman, Jeddah, Bagdad, Teheran, Kabul, and so on.... It was precisely because men like Winston Churchill and Colonel Lawrence were inclined to treat the Arab question per se, and not as a part of the larger Indian question, that they have to some extent earned the rebukes of commentators of less one-sided agents in the making of Middle Eastern history."<sup>51</sup>

This long-continued and divergent expression of views on Iraq revealed an unusual situation in British imperial opinion. There had probably been nothing like it since the days of the Boer War. If the old type of imperialist could have had his way, as formerly, Iraq would have become a colony. But there was doubtless never such a volume of able and influential opinion against the old imperialist policies. It is noteworthy that the *London Times* and the *Manchester Guardian* were, throughout this discussion, representative of the most liberal body of British thought on the subject. In the main, the official position, both in London and in Bagdad, seems to have taken a fairly middle course between the old and the new extremes. This, however, is the accustomed course of government in that land which has "mothered" the representative institutions of modern times. But here British opinion, far more than ever before, is a sort of complex of the most forward-looking opinion of the world. The change of policy in Iraq was only a particular instance of a wider change of British imperial policy in general. If America had championed the League and prevented annexations, these same ideas had notable contributions from British sources, and the British were to become one of the mainstays of the new international order.

As for Iraq, annexation was no longer to be thought of. It was evident that she was destined to be freer than her sister, the even more advanced community to the west, under France. The "trustee" idea was British and American, not French. And General Smuts' splendid scheme of degrees in mandates was likely to experience tendencies to even further elaboration, if it was to accommodate the rapidly developing situation with respect to Iraq.

51. Kenneth Williams, "The Significance of Mosul," *Nineteenth Century*, XCIX, 350-1.

## Chapter Six

# GREAT BRITAIN BECOMES "TRUSTEE" IN IRAQ

WE MAY NOW ENUMERATE the following as important events of the mandate-making in Iraq thus far in our story: The Council of Ten had decided at Paris, January 30, 1919, that Mesopotamia, along with the other Turco-Arab territories, "must be completely severed from the Turkish Empire."<sup>1</sup> It seems also that the Supreme Council had on the same day virtually given its tacit consent as to who should have the mandates.<sup>2</sup> At a secret meeting of the same group, March 20, 1919, as we have seen, occurred discussions on the wartime secret treaties which advanced to greater definiteness the agreement between Great Britain and France. At San Remo, April 25, 1920, thereafter came the final agreement between these powers. The Treaty of Sèvres was signed August 10, 1920, providing for the application of article 22 to the severed Turkish territories.<sup>3</sup> The Council of the League had already (August 5) sent forward urgent letters to the prime ministers to hasten the process of setting up the mandates. The need for definite and effective régimes in all such areas was pressing. This need, along with the fact of actual possession as a result of conquest, had led the French and British governments, and the Council of the League as well, to ignore whatever legal discrepancy lay in the fact of no ratified instrument of peace with the Turk.<sup>4</sup> Serious delays, however, were to be encountered. America was to interpose objections, the new Turk was to emerge and ignore the Treaty of Sèvres, and Anglo-Iraq relations in other ways were to prove more difficult of adjustment than had been foreseen.

1. David Hunter Miller, *Drafting the Covenant*, I, 101.

2. *Ibid.*, p. 114.

3. Articles 94-5.

4. See on this point Temperly, *The History of the Peace Conference*, VI, 37.

## *The American Demand for the Open Door*

The American ambassador at London, John W. Davis, addressed a letter, May 12, 1920, to the British foreign office, challenging, on the basis of American traditional interest in the open door, the assignment of mandates at San Remo. She had not participated in that conference and had not been consulted. However she was "unofficially informed that the mandates for Mesopotamia and Palestine have been given subject to friendly arrangement with the Italian government regarding economic rights." The United States wished to point out that during the peace conference she "consistently took the position that the future peace of the world required that, as a general principle, any alien territory which should be acquired pursuant to the treaties of peace with the Central Powers, must be held and governed in such a way as to assure equal treatment in law and in fact to the commerce of all nations. It was on account of, and subject to, this understanding, that the United States felt able and willing to agree that the acquisition of certain enemy territory by the victorious powers would be consistent with the best interests of the world. The representatives of the principal Allied Powers . . . expressed in no indefinite manner their recognition of the justice and farsightedness of such a principle, and agreed to its application to the mandates over Turkish territory."

Then becoming more direct, he referred to "the unfortunate impression in the minds of the American public, that the authorities of His Majesty's government in the occupied region had given advantages to British oil interests which were not accorded to American companies, and further, that Great Britain had been preparing quietly for exclusive control of the oil resources of this region."<sup>5</sup> Later on Davis laid down the American open-door policy which he hoped might serve as a basis for discussion of the issue. On July 28, having received no reply, another note was addressed to the British government. It referred to occurrences subsequent to the previous note which had "not served to clarify the situation or diminish the concern felt by the government and the people of the United States." In the meantime had been published the San Remo agreement "making certain provisions for the disposition of petroleum produced in Mesopotamia, and giving to France preferential treatment in regard thereto." America could not understand the consistency between this agreement and "the principles of equality of

5. United States Department of State, *Mandate for Palestine*, pp. 27-8. This government publication contains, besides this correspondence between the two governments relative to economic rights in the mandated territory, various documents on the same subject. For this correspondence see also cmd. 1226.

treatment understood and accepted during the peace negotiations at Paris." It seemed to be "a grave infringement of the mandate principle .... formulated for .... removing in the future some of the principal causes of international differences."<sup>6</sup>

The British foreign secretary, Lord Curzon, replied on August 9, 1920, denying American suspicions and charges and stating that, in the light of American preponderance in oil production (over 80 per cent of the petroleum of the world as compared with the British total of about 4.5 per cent), "the nervousness of American opinion concerning the alleged grasping activities of British oil interests appears singularly unintelligible." But while his government was "in full sympathy" with the suggested discussion of the matter, they were "none the less of the opinion that the terms of the mandates can only properly be discussed at the Council of the League of Nations by the signatories of the Covenant." As for British oil monopoly in Mesopotamia, "it is far from the intention of the mandatory power to establish on its own behalf any kind of monopoly," and "the oil deposits of Mesopotamia will be secured to the future Arab state." It was explained that in lieu of her long-standing interests in Mosul, now surrendered, France was, by the recent agreement, to receive the right to purchase at current prices 25 per cent of the oil produced in Mesopotamia, provided development should be by the state, or in case of development by private enterprise, she should be entitled to not less than a 25 per cent share. The arrangement "gives no exclusive right to the mandatory power, while the Mesopotamian state is free to develop the oil fields in any way it may judge advisable, consistent with the interests of the country."<sup>7</sup>

The American Secretary of State, now Bainbridge Colby, replying on November 20, 1920, was unable to concur in the view "that the terms of the mandates can properly be discussed only in the Council of the League of Nations and by signatories of the Covenant. Such powers as the Allied and Associated nations may enjoy or wield in the determination of the governmental status of the mandated areas accrued to them as a direct result of the war against the Central Powers. The United States as a participant in that conflict and as a contributor to its successful issue cannot consider any of the Associated powers, the least not less than itself, debarred from the discussion of any of its consequences, or from participation in the right and privileges secured under the mandates provided for in the treaties of peace."<sup>8</sup>

He requested that a copy of the draft mandates for Mesopotamia and Palestine be sent the United States government for its consideration

6. *Ibid.*, p. 31.

7. *Ibid.*, p. 36.

8. *Ibid.*, pp. 38-9.

before they were sent to the Council of the League. "The establishment of the mandate principle, a new principle in international relations, and one in which the public opinion of the world is taking a special interest, would seem to require the frankest discussion from all pertinent points of view." If there was to be no British monopoly in oil production in Mesopotamia the Secretary was "at some loss to understand how to construe the provision of the San Remo agreement that any private petroleum company which may develop the Mesopotamian oil fields 'shall be under permanent British control.'" Referring to the British allusion to American supremacy in oil production this open-door American was somewhat dumbfounded that "any friendly power" should assume that the views of his government "as to the true character of a mandate are dictated in any degree by considerations of the domestic need or production of petroleum, or any other commodity."<sup>9</sup>

The interests of the powers in Iraq oil will be taken up again in a succeeding chapter on Mosul.<sup>10</sup> It is sufficient here to state that special agreements between the United States and other powers concerned gave her the voice demanded in connection with the Turkish mandates, and that the monopolistic character of the San Remo oil agreement was broken by the admission of American corporations to the desired share in this exploitation. It should be noted too that this diplomatic episode, while revealing the traditional American ardor for the open door as well as her interest in a project of exploitation, represented another important, thought perhaps less direct, interference of America in Iraq affairs, even though she was outside the Supreme Council and the League.

So far as affecting precedent in establishing the mandatory system was concerned, Secretary Colby pursued the matter further by sending a note to the Council of the League, February 21, 1921, enclosing a copy of his note of November 20, 1920, to Lord Curzon, and emphasizing points therein. The Council's attention was called particularly to the request of the United States for a copy of the draft mandate forms. Since the Council, at its meeting then in session, would discuss fundamental questions regarding the setting up of mandates, the Secretary saw fit to re-emphasize the importance of the precedent the League was

9. *Ibid.*, p. 40.

10. Chap. vii. For a fuller discussion of this diplomatic encounter, see the following: Temperly, *op. cit.*, pp. 505-12; Quincy Wright, "The United States and the Mandates," *Michigan Law Review*, XXIII, 725 ff.; Walter R. Batsell, "The United States and the System of Mandates," *International Conciliation*, No. 213; Toynbee, *Survey of International Affairs* (1925), I, 466-7; Quincy Wright, *Mandates Under the League of Nations*, pp. 48-56.

about to establish in launching "a new principle in international relations."<sup>11</sup> This, it will be recalled, was the principle most stressed by Wilson in his presentation of the Covenant at Paris. The final emphasis given it here by his friend was doubtless a faint echo of the declining spirit in the White House.

The Council's reply to this note, March 1, 1921, interpreted the Secretary's outstanding demand to be "that the United States must be consulted before any mandates are allotted or defined." The Council was aware of the difficulties which it faced and expressed satisfaction at American interest. It "not only welcomes but feels justified in claiming the sympathy and support of the governments which devised the scheme which the Council is required to administer." The situation was complicated by the fact that the United States was not in the League. The Council had already postponed consideration of "A" mandates, including Mesopotamia, before the American note was received, but consideration of the "B" mandates for the former Central African colonies of Germany was, upon receipt of the American note, deferred until the next meeting of the Council. It was hoped that administrative progress would not thereby be hampered. "The Council invites the United States to take part in the discussions at its forthcoming meeting, when the final decisions as to the "A" and "B" mandates will it is hoped be taken." As for the allocation of the mandates, that was "a function of the Supreme Council and not of the Council of the League."

### *Further Delays*

At the next meeting of the Council, June 17, 1921, H. A. L. Fisher, representing Great Britain, agreed that the consideration of "A" mandates, set for that date, should be postponed "in order that the United States might be able to concur in any modifications which might be necessary." He stated, however, that the "mandatory powers were .... very sensible of the inconvenience of a further postponement of the question."<sup>12</sup> This question was to have been considered at the February session but was postponed on request of Balfour so that they might have a report from Churchill, who was about to visit Iraq.<sup>13</sup> The president of the Council, on June 17, stated that it was to their "great regret" that the United States had not responded to their request to

11. The note ended with a protest against the Council's acceptance of the Japanese mandate including the island of Yap.

12. Thirteenth Session of the Council, p. 2.

13. Twelfth Session of the Council, p. 10.

send a representative to the Council in order that it might secure the views of that government. But he thought they might hope that the inconveniences of a second postponement would be balanced by the advantage of a final solution in the near future acceptable to all."<sup>14</sup>

On September 8, 1921, the Council sent to the principal Allied powers another urgent request to conclude the matter of mandates by arriving at a solution of the points "between them and the United States." They were particularly anxious that a solution be reached in order that "one of the chief responsibilities laid upon it by the Covenant" be fulfilled. Administration of "vast areas in Africa and Asia" waited upon this solution.<sup>15</sup> The subcommittee of the Assembly on September 19, 1921, regretted "the delay which had taken place in the definition of the 'A' and 'B' Mandates," but it recognized that "the fault cannot be said to lie with the Council." The subcommittee, however, felt "that it would be in any case premature to press for immediate action by the Council. It takes note of the fact that the Treaty of Sèvres has not yet been ratified by the powers." They hoped that "so long as the transitory conditions continue, the administration of the territories in question will still be carried out in the spirit of article 22 of the Covenant."<sup>16</sup>

Just prior to these expressions of the League's interest in the mandate for Iraq, it will be recalled, that new nation had accepted a king who was proclaimed by the British High Commissioner, August 23, 1921.

We have seen that the mandate was not acceptable to the Iraqis, and that the attitude of British officials at Bagdad had not only failed to encourage, but had undoubtedly been a positive influence against it. The choice of a king; the initiation of the provisional government; and the constant planning for a general election, a constitution and an assembly with other accompaniments of self-government, all had tended to discourage the mandate proposal. The new policy introduced at the time of the return of Sir Percy Cox (October, 1920), had seemed a result of the recent revolt. Now to go under a mandate would be to return to something like the old period of occupation.

Under these circumstances Fisher, British representative on the Council of the League, had an important statement to make at the meeting of that body, November 17, 1921. He wished "to acquaint the Council with the progress of the policy which, as the mandatory of the League, they are pursuing in respect to Irak. . . ." The Council had been kept informed of the way in which their obligations to the

14. Thirteenth Session of the Council, p. 71.

15. *Official Journal of the League of Nations*, 1921, Nos. 10-12, p. 1120.

16. *Ibid.*, pp. 1122-3.



League had been performed. The Council had been sent the draft mandate for Iraq, as also the *Review of the Civil Administration in Mesopotamia* (published 1920). They were just now distributing to the Council a "note" on the political developments since October, 1920. The last two and a half months had served to confirm the results of the so-called plebiscite which gave Feisal such an overwhelming vote.

It was evident then, thought Fisher, that Great Britain was carrying out article 94 of the Treaty of Sèvres providing for the establishment in Iraq, according to the fourth paragraph of article 22 of the Covenant of the League, of a state to be provisionally recognized as independent, "subject to the rendering of administrative advice and assistance by the mandatory until it is able to stand alone." His government, however, has obligations not only towards Iraq, "but also vis-à-vis the League of Nations."

It is therefore "desirable to inform the League that the political developments in Irak have led them to the conclusion that their obligations vis-à-vis the League can be most effectively discharged if the principles on which they rest are embodied in a treaty to be concluded between His Majesty's government and the king of Irak." They were "unable to resist the overwhelming desire of the people" for "a national government under an Arab ruler." Events had moved so fast that the Council could not be kept informed, but his government was "confident" that the Council would approve of "the recognition of the sovereign whose recent accession .... followed upon the universal demand of the people...." This modified situation, as Fisher argued, required the proposed substitution of a treaty for the mandate. (King Feisal was in fact less Iraqi-made than English-made and there was no "universal demand of the people," especially as concerned the Shiah element, for this Sunni son of the distant Hedjaz.)

The British representative then quoted from Feisal's accession oration showing that the new king contemplated the establishment and maintenance of a constitutional government for Iraq. He had referred to the treaty with Great Britain which his congress was to confirm. Religious sects were to be allowed to follow "their own law and religion provided they do not conflict with security and public morals." Proper laws for safeguarding the interests of foreigners as well as for guaranteeing "equity of commercial dealing with foreign countries" were to be enacted. The king had promised to frame the state's organic law in consultation with the High Commissioner.

These statements showed he believed that Feisal was "ready and willing" to conclude a treaty with his government which would insure

that the government of Iraq would be carried out in accordance with the "spirit of the Covenant of the League." He was of opinion therefore, that a treaty would represent "a more satisfactory definition of the relations between the mandatory power and the mandated state than any other form of instrument," provided it "secures, first, the control of His Majesty's government over the foreign relations of Irak; secondly, due fulfillment of the international obligations incurred by His Majesty's government by treaty, mandate or agreement; thirdly, such measure of financial control as may be necessary; and fourthly, provided that it contravenes in no respect either the spirit or the letter of the Covenant of the League of Nations."

"It will be understood that the proposed treaty will serve merely to regulate the relations between His Majesty's government, as mandatory power, and the Arab government of Irak. It is not intended as a substitute for the mandate, which will remain the operating document defining the obligations undertaken by His Majesty's government on behalf of the League of Nations."<sup>17</sup>

It is evident, therefore, from the developments in Iraq and from the consequent change of British policy, as here recited by Mr. Fisher, that the full application of the mandatory system to Iraq was to experience other delays than those attributable to the United States.<sup>18</sup> It had to wait now upon the completion of an Iraq government and the formulations of a treaty and subsidiary agreements with Great Britain. It must be kept in mind, too, that failure to come to terms with Turkey made uncertain, in the minds of many, the validity of any Allied disposition of her former Arab territories. Balfour stated, May 11, 1922, that the mandate for Palestine would not be legal under the circumstances.<sup>19</sup> The Italian representative at the same time stated that his government had always held the position that the Turkish mandates would be illegal, as long as the revision of the treaty was pending. Former Premier Asquith had stressed the same view in the House of Commons.<sup>20</sup>

However, the normal life of the native peoples here concerned required that arrangements with a fair measure of permanency be con-

17. *Ibid.*, pp. 1215-7.

18. Lord Robert Cecil believed that the United States had the right to complain if the Allied powers did intend to close the door in the mandated territories. He saw those powers, not the United States, as causing the delay in setting up the mandate in Iraq (*Parl. Debates*, Vol. 156, cols. 1125-6).

19. *Official Journal of the League of Nations*, Eighteenth Session of the Council, p. 518.

20. See *Parl. Debates*, 1921, Vol. 144, cols. 1521-4.

cluded in the shortest time. In the meantime, what should be done? On October 2, 1921, the Council sent a note to the mandatory powers containing the following clause: "The Council has no hesitation in expressing to the mandatory powers its confidence that they will continue to carry on the administration of the territories committed to their charge in accordance with paragraphs 4 and 5 of article 22 of the Covenant in the spirit of the draft mandates until such time as the position shall have been definitely regularized."<sup>21</sup> Legal inhibitions ceased, however, as far as Palestine and Syria were concerned, when on July 24, 1922, the Council approved the mandates for those territories. But Iraq must wait.

#### FURTHER ANTI-MANDATE AGITATION IN IRAQ

In the meantime the situation resulting from the failure to ratify the Treaty of Sèvres was of more concern to the government of Iraq than it was to the Allied powers or to the Council of the League. The High Commissioner stated that Turkish propaganda in Iraq was constant. In the summer of 1921 "Turkish military adventurers, with small bodies of regular forces under their command" had committed hostilities along the eastern frontier of Iraq. Tribes had been incited to revolt.<sup>22</sup> In spite of the national pact (January 28, 1920) which renounced Turkish claim to territories inhabited by Arab majorities, some feared a Kemalist attempt at recovery of all lost provinces. Continued Kemalist successes added to the fear. Territories occupied by Moslem Kurd majorities were explicitly claimed by this Turkish declaration of independence and this affected the vilayet of Mosul, for which Turk and Iraq leaders were to contend bitterly in the years following. This Turkish revival provoked an expanding pro-Turkish sentiment about Bagdad.<sup>23</sup> These uncertainties gave opportunity for discontented persons and groups to make trouble for the new government.

In April, 1922, certain Shiah leaders attempted to take matters into their own hands by calling a meeting of tribal chiefs at Kerbela to

21. Minutes of the Fifteenth Session of the Council Annex, 266, p. 168.

22. *Report on Iraq Administration*, April, 1922—March, 1923, p. 3.

23. A British adviser and enthusiastic pro-Arab is quoted as saying, "Seventy per cent of the Bagdad people were pro-Turk when they heard of Mustapha Kemal's victory. They are like children . . . . If he (the Turk) did come back, the same people would wish him away again as heartily as they did before the war" (Sir Percival Phillips, *Mesopotamia, The "Daily Mail" Inquiry at Bagdad*, p. 24).

The state of public opinion in Great Britain in 1922 induced the *Daily Mail* to send the author of this work to study and report on the situation in Iraq at this time. His concluding chapter is entitled, "Withdraw to Basra."

avenge a Wahabi raid.<sup>24</sup> It was even reported that the British had stirred up the raid in order to make themselves appear indispensable to the defense of Iraq. The king felt it necessary to send troops to the scene to prevent disorders. There was, however, some demonstration against the British. An attempt was made to organize the extremists in Bagdad, but it failed. The radical press was active against the mandate, even claiming that it was a device to incorporate Iraq into the British Empire. There were "grave symptoms of disorder" in the provinces, which showed themselves in the reduced collection of revenue which "dropped to the vanishing point" in certain outlying portions of the Euphrates Valley.<sup>25</sup>

The vernacular Bagdad press became actively anti-mandate, and so extreme that the High Commissioner felt it necessary to use his power of censorship and even suspension. The Bagdad nationalistic politicians aroused the frequenters of coffeehouses to boisterous expressions of British hatred. Old leaders of the 1920 revolt were again active. Many of the saner element, mindful of former disappointment in Syria, and particularly when encouraged by British evacuationists, added their sentiment to the agitation. The fear was expressed that whatever anti-British feeling existed in the Moslem world generally would be directed against the Iraqis should they accept the mandate.

A hitch in the negotiations of the treaty produced some of the anti-mandate agitation. The king and the naqib (who was also the prime minister) were known to want the treaty instead of the mandate. Gertrude Bell reports (June, 1922) that they had "proclaimed to the listening universe that they will never, so help them God, accept the mandate."<sup>26</sup>

The treaty, which had been negotiated by Sir Percy Cox and the naqib, was turned over to the Council of State who finished its deliberations on the document late in June, 1922. This body accepted the treaty but applied the reservation, with "which it persistently refused to dispense," that the high contracting parties should not ratify the treaty until it had been agreed to by the forthcoming Constituent Assembly.<sup>27</sup> There occurred a "wearing and perilous delay" in signing the treaty as a result of Feisal's effort at some scheme to have the mandate abrogated.<sup>28</sup> On the first anniversary of the king's accession (Au-

24. An experienced British official is quoted as saying, 1922, that "all the anti-British agitation can be traced to the holy cities—Kerbela and Nejaf" (*ibid.*, p. 25; see n. 23, above).

25. *Report*, 1922-23, pp. 4-13.

27. *Report*, 1922-23, p. 13.

26. Lady Bell, *op. cit.*, p. 643.

28. *Ibid.*, p. 14.

gust 23, 1922), Sir Percy Cox went to extend congratulations to His Majesty, but just as he was passing the king's threshold there came from a nearby crowd cries of "Down with the mandate!" Sir Percy promptly demanded, and received, apologies for this offense to His Britannic Majesty's representative.<sup>29</sup>

While the forthcoming treaty was being negotiated, and pending its ratification, the British Parliament was the scene of much debate as to what to do with Iraq. The most characteristic questions put to the colonial secretary at the time were concerned with the date at which British troops might be expected to evacuate the country and the ever mounting cost of this increasingly unpopular project. Churchill stated, March 9, 1922, that "the cost of securing our present position in Iraq, including war expenditure, has certainly been not less than £350,000,000, four-fifths of which expenditure was . . . in the war and arising out of the aftermath of the war."<sup>30</sup> When asked by Lord Cecil about subsidies to the Arabs, the Secretary said, "We have spent less than the subsidy which I asked the House to give us in June last . . . one has to choose whether gold makes a better weapon than steel or lead. Sometimes it does, and is cheaper in the end." He was fully convinced that it had been an effective instrument as between Hussein and Ibn Saud.<sup>31</sup> But Hussein was getting no subsidy at that time. The cost of the British residency at Bagdad, of which much complaint had been made, was to be, including furnishings, outbuildings, and building site, £190,000.<sup>32</sup> The British dread of getting too far from salt water was expressed in the protest against trying to hold the Turkish frontier six or eight hundred miles from the sea.

As for the new relationship with Iraq, Churchill said, "We are not entitled to disclaim the mandate, but we are acknowledging an Arab state—we are creating an independent Arab state and making a treaty with that state."<sup>33</sup> Certain members, however, saw the proposed arrangement as one falling between the mandate and independence. It was the custom, however, to continue referring to the pending Anglo-Iraq relationship as if it were to be the mandatory type.

### *The Completion of the Treaty*

Cox says that "all difficulties regarding the treaty were cleared away by announcement from the Secretary of State for the Colonies that the

29. *Ibid.*, pp. 18-9.

30. *Parl. Debates*, Vol. 151, col. 1547.

31. *Ibid.*, cols. 1551-2.

32. The residency contained offices for the High Commissioner's staff also.

33. *Parl. Debates*, Vol. 156, col. 1127.

mandate should lapse just as soon as Iraq was admitted to the League of Nations. The treaty was therefore signed October 10, 1922.<sup>34</sup> Two days later the colonial secretary made another announcement to the effect that Great Britain would do all in her power to delimit Iraq's frontiers at the earliest possible date, so that Iraq might be in a position, when the treaty and subsidiary agreements had been duly ratified and the organic law had gone into effect, to apply for admission to the League. Great Britain would use her good offices, "provided that effect is being given to the provisions of the treaty," to secure the admission of Iraq to the League.<sup>35</sup>

The happy king now (October 13, 1922) issued a "moving proclamation to his people." He said in part: "I publish today .... the text of the treaty concluded between me and His Britannic Majesty's government. .... Many obstacles have stood in the way of negotiations .... which have lasted about ten months, but at the end we have been able, thanks to good intentions and mutual confidence, to overcome them and reach a satisfactory settlement. I have no doubt that my people will appreciate the importance of this treaty and the great strides which we have made towards the realization of national aspirations. The people will hold with additional strength to the friendship of our illustrious ally, Great Britain, because the continuance of friendship with her is a vital matter on which depends the safeguarding of the independence of this state and the assurance of her economic progress.

"The treaty .... is based on the foundation of mutual advantage and interest. .... Great Britain .... has undertaken to assist us and has recognized our political independence and respected our national sovereignty. All the other agreements subsidiary to the treaty will be based on these principles. Nothing remains now but that we should carry out elections for the convening of the Constituent Assembly and the framing of the Organic Law. Thus we shall make our second step and progress towards an application to the League of Nations, with the assistance of our ally, that we should be admitted to membership of the League like other powers. I appeal to my people to support their government .... and I ask the people to select fitting representatives who will truly represent the wishes of the nation. At the same time my people should feel confidence in and devotion towards the British government and nation which alone has recognized our political existence .... and promised to help us to admission to the League of Nations.

"We are, thank God, one united whole moved by a strong feeling of

34. *Report*, 1922-23, p. 23.

35. *Ibid.*, p. 187.

responsibility for future prosperity of the country. . . . We ask help from God that we may follow a policy of sincerity and friendship towards our neighbors, having before our eyes the promotion of peace and friendship within these territories. Guidance is from above."<sup>36</sup>

This proclamation is quoted at length because of its striking pertinence to the situation then existing, and because of its revelation of the interesting personality of the king. It shows Feisal's bounding enthusiasm for the new order in Iraq. He had taken over completely the western ideas of government by the consent of the governed. He now looked to the immediate consummation of those ideas in a parliamentary government like the true western nation-state. But with all his western notions there went the character and spirit of what is noblest in Arab tradition. Fervor, friendship, and a devotion to the leadership of the Deity made him the truest of Arabs. The difficult situation facing the new state, because of diverse ethnic and religious elements within and of precarious contacts without, severely tested the king's resources and intentions with respect to an ordered and friendly régime.

The conclusion of this understanding between the governments, while marking a distinct change in the mood and attitude of the Iraqis towards Great Britain and the whole question of the mandatory relationship, marked, also, a distinct decline in British press comment on the Iraq question. The future was not without incident in this connection, both for the Iraqi and the British publics, but there is an increasing reconciliation, under the new and more definite arrangement, for all concerned. The treaty gradually came into effect, though, owing to delays in connection with negotiations of the subsidiary agreements, it did not become fully operative until some two years after the signing of the main treaty at Bagdad (October 10, 1922).

#### FUNDAMENTAL PROVISIONS OF THE TREATY

The treaty was to "come into force as soon as ratified . . . after its acceptance by the Constituent Assembly," and to remain in force for twenty years (Art. XVIII), unless before that date, Article VI, providing for Iraq's admission to the League, has not come into effect.<sup>37</sup> It provided that "nothing shall prevent the high contracting parties from reviewing from time to time the provisions of this treaty" and those of the subsidiary agreements, "with a view to any revision which may seem desirable in the circumstances then existing" (Art. XVIII). As early as April 30, 1923, "in deference to public opinion both in England

36. *Report*, 1922-23, pp. 24-5.

37. For texts of the treaty and subsidiary agreements see *League of Nations Treaty Series*, XXXV, 14-151.

and in 'Iraq'<sup>38</sup> a protocol to the treaty was signed, substituting for the maximum period of twenty years a period of four years from the ratification of peace with Turkey.<sup>39</sup>

None of these agreements contained the word "mandate" or made any specific reference to article 22 of the Covenant or to the establishment of the mandatory relationship. Frequent reference, however, is made, in the main treaty, to the League of Nations. The following is the complete list of references:

1. Great Britain agrees (Art. VI) to use her good offices to secure membership of Iraq in the League "as soon as possible."

2. The military, the financial, and the judicial agreements (subsidiary agreements), and all separate agreements which may be made between the parties for the execution of Great Britain's obligations to Iraq shall be communicated to the Council of the League (Arts. VII, IX, X, XV).

3. Iraq shall make no discrimination in treatment of members of the League, or in the treatment of any non-member of the League with which Great Britain has a treaty guaranteeing the same rights as if they were members (Art. XI).

4. Iraq agrees to coöperate with the League's "common policy .... for preventing and combating disease" (Art. XIII).

5. Iraq agrees to enact a law of antiquities insuring equal treatment, respecting "the matter of archæological research," of "the nationals of all states members of the League" and of any state to which Great Britain has agreed by treaty to grant the same privileges as if they were members of the League (Art. XIV).

6. Differences as to the interpretation of the provisions of the treaty are to be submitted to the Permanent Court of International Justice as per article 14 of the Covenant of the League (Art. XVII).

7. a) Termination of the treaty, unless Article VI has come into effect before that date, shall be subject to confirmation by the League.

b) Any modification of the treaty shall be communicated to the Council of the League.

Notwithstanding the intimate relationship thus set up between Iraq and the League through the liaison instrumentality of Great Britain, we shall see that Iraq had given no recognition to the League. It is evident that she desired membership in the League, but that would mean admission to the family of independent states.

38. See Toynbee, ed., *Survey of International Affairs*, (1923), I, 467-8.

39. The Treaty of Lausanne was signed July 24, 1923, but was not ratified until August 6, 1924, on which date the four years were to begin.



The subsidiary agreements here referred to are four in number and have to do with so many important aspects of Anglo-Iraq administration. The first of these is provided for in Article II of the treaty and relates to British officers in Iraq. It says that "a separate agreement shall regulate the numbers and conditions of employment of British officials . . . appointed in the Iraq government." In this agreement are listed two schedules of British officers who are to serve the Iraq government in the capacities, mainly, of advisers, directors, and inspectors. Under the second schedule are listed five grades of these whose salaries are definitely fixed.<sup>40</sup> The second of these agreements is provided for in Article VII of the treaty and relates to British military aid to Iraq. Great Britain agreed thereby "to provide such support and assistance to the armed forces" of Iraq "as may from time to time be agreed" upon.<sup>41</sup> The third agreement is provided for in Article IX of the treaty and relates to the judiciary. The king of Iraq agreed thereby to "accept and give effect to such reasonable provisions" as Great Britain "may consider necessary in judicial matters to safeguard the interests of foreigners in consequence of the non-application of the immunities and privileges enjoyed by them under capitulation and usage."<sup>42</sup> The fourth and last is provided for in Article XV of the treaty and had to do with Anglo-Iraqi financial relations. This special agreement provided for the transfer by Great Britain to the government of Iraq of "such works of utility as may be agreed upon"; for the rendering by Great Britain of such financial assistance as may from time to time be considered necessary" for Iraq; and for the progressive liquidation by the Government of Iraq of all liabilities thus incurred."<sup>43</sup>

It is advisable here to sketch briefly the other more important provisions of this treaty. Great Britain shall be represented in Iraq by "a high commissioner and consul-general assisted by necessary staff" (Art. I). These are the chief officials of the mandatory power. The authority exercised by the high commissioner under the new arrangement is not different, in the main, from that exercised by him in the past. Great Britain promised, "subject to the provisions of this treaty," to provide the country "at the request of . . . the king of Iraq" with "such advice and assistance as may be required during the period of the present treaty, without prejudice to her national sovereignty" (Art. I). This advice and assistance are to come mainly through the high commissioner.

The conduct of Iraqi foreign relations is not made so explicitly a

40. See *League of Nations Treaty Series*, XXXV, pp. 37-9.

41. *Ibid.*, pp. 104-9.

42. *Ibid.*, pp. 132-4.

43. *Ibid.*, pp. 146-51.

function of the mandatory power as was true in the old mandate. However, the king of Iraq "agrees to be guided by the advice of His Britannic Majesty tendered through the high commissioner on all important matters affecting the international and financial obligations and interests of His Britannic Majesty for the whole period of this treaty." As long as Iraq is under financial obligation to Great Britain the king "will fully consult the high commissioner on what is conducive to a sound financial and fiscal policy" (Art. IV). Iraq will have the right of representation at "London and in such other capitals and places as may be agreed upon." Where not represented the king agrees that Iraq nationals shall be under the protection of Great Britain. The king of Iraq shall issue exequaturs to foreign representatives after Great Britain has agreed to their appointments. If, however, differences as to the interpretation of this treaty should arise between the two governments, they were to be referred to the Permanent Court of International Justice (Art. XVII); and if modifications of this treaty are found advisable, that is a matter for the two governments and the League of Nations. And "no territory in Iraq shall be ceded or leased or in any way placed under the control of any foreign power" (Art. XVIII).

The economic inequalities which the United States feared were permissible under the draft mandate, are definitely excluded by the treaty provision that no discrimination should be allowed "against nationals," not only "of any state member of the League," but also, against "nationals of any state to which His Britannic Majesty has agreed by treaty that the same rights should be insured" (Art. XI). The United States, having such a treaty, was thus cared for.

### *The Iraq National Assembly and the Treaty*

It will be recalled that the Council of State of Iraq had persistently refused to accept the Anglo-Iraq treaty unless it should be acceptable to the forthcoming Iraqi Constituent Assembly. The High Commissioner and Feisal were due to face serious difficulties in connection with holding the elections for that assembly. On October 21, 1922, following the provisional acceptance of the treaty by the Council of State, there was published the royal "iradah" ordering this assembly. Immediately the Secretary of the Interior instructed all government officials to assume an attitude of complete neutrality during the coming elections. The registration of primary voters began at once.

In the meantime, the Shiah *ulema* (wise men) had been considering the advisability of forbidding their adherents' participation in the elec-

tins. They issued such "futwabs" from Kerbela and Kadhimain on November 8, although registration was, at the time, almost complete. In certain divisions, however, where Shiah influence was most marked, the government committees were so terrorized by extremists that they resigned or refused to sign the registers.<sup>44</sup> It should be remembered that the Shiahs are distinctly anarchistic so far as political authority is concerned. Their leaders prefer recognition of no authority save their own. The Shiahs, too, constitute somewhat more than half the approximately three million inhabitants of Iraq.

At the same time the people of the northern districts were inclined to hold aloof from the elections, but for a different reason. There, where the Sunnis predominated, widespread alarm was felt because of the possibility of Kemalist victories resulting in their re-incorporation in the new Turkey.<sup>45</sup> Participation in any feature of the Iraq government would prejudice their cause in such event. Arab-like, they were inclined to wait for Allah's decision as to the strongest of their would-be masters. Also the ever present Turkish propaganda, especially in the north, instigated constant lawlessness.<sup>46</sup>

The protocol which was signed April 30, 1923, had, by reducing the period of the treaty from twenty to four years, produced among the politicians of Bagdad and Mosul a most favorable impression. The king and his ministers, also, "were undisguisedly delighted that a near term had been put to authoritative control by Great Britain of their affairs."<sup>47</sup> The new high commissioner, Sir Henry Dobbs,<sup>48</sup> now saw the way clear "for genuine coöperation between" the officials of the two governments. "It only remained to convince the people that Great Britain was prepared to follow a policy not merely of abstention from undue interference, but also of active support and friendship."<sup>49</sup>

The king made a state visit to the Mosul district during May, 1923, in order to attach the people to himself, to his government, and to Great Britain. This was incidentally a preparation for a wider participation in the election. His brother, Zaid, had been in residence at Mosul City for some time, doubtless for the psychological enhancement of sherifian political fortunes in that troublous quarter. During the king's sojourn of three days in the second city of his kingdom he spoke with his accustomed eloquence of Iraq's friendly intentions towards

44. *Report*, 1922-23, p. 26; also *Report*, 1923-24, p. 6.

45. *Ibid.*

46. *Ibid.*, p. 33.

47. Sir Henry Dobbs, in *Report of High Commissioner*, 1923-24, p. 8.

48. Dobbs succeeded Cox September 15, 1923.

49. *Report*, *loc. cit.*

the Turks, of the expressions of loyalty of his subjects in those parts, and of the help which Great Britain had given the new Arab state. He took occasion to deny vigorously Turkish claims to any part of Iraq territory and to urge the necessity of an early completion of the elections and summoning of the Constituent Assembly.<sup>50</sup> He returned with a favorable impression as to the possibility of holding elections there at once. He now decided to put an end to the Shiah agitation. They had re-issued (June, 1923) their decrees against elections.<sup>51</sup> But another visit of state similar to the one to Mosul, this time to southern Iraq, was here deemed advisable. In the king's absence, however, the crisis came with the Shiahs. The arrest and banishment of "the notorious *mujtahid* of Kadhimain" (Kadhimain was one of the holy cities) and his two sons, and the voluntary departure for Persia of leading ulema, with their relatives, finally reduced the situation to control and the elections proceeded in July.

The later allotment of two cabinet portfolios to the Shiahs, one being that of finance, along with other conciliatory measures, was followed by a deputation of leading Shiahs waiting on the king and "presenting to him a manifesto" declaring that they had been in error in opposing the British and that they intended "to make a radical change in policy."<sup>52</sup>

Signing of the Treaty of Lausanne, July 24, 1923, was even a much greater boon to Iraqi affairs. Relations within and without now seemed to proceed more rapidly towards final conclusions.

The agreements subsidiary to the Anglo-Iraq treaty "which had been the subject of long and grave discussion" between the two governments were signed on March 25, 1924, and the entire instrument of the Anglo-Iraq alliance was thus ready for consideration by the Constituent Assembly.

Two days thereafter (March 27), the king opened this assembly in Bagdad himself, "in full Arab dress, a figure of singular dignity" and provoked "bursts of applause repeatedly renewed."<sup>53</sup> After offering praise to God he reminded this first assembly of representatives of the first modern Arab state that they were to act upon the Anglo-Iraq treaty of alliance, the new constitution, and an electoral law for the parliament of the new state. After impressing upon the delegates that

50. *Report*, 1923-24, pp. 8-9.

51. One of the arguments against registration was that it might result in conscription. The Arab has generally opposed any sort of enumeration of the people lest it be used as a basis for conscription or taxation.

52. *Report*, 1923-24, p. 17.

53. *Ibid.*, p. 20.

Islamic law is based on consultation, he left them to their unique task of working out a harmony between what remained of this ancient Orient and the newest political forms of the Occident.

The treaty was debated until June 2. Even the staunchest pro-British members felt that certain provisions, especially those of the financial agreement, would bear too heavily upon the new state. Many tribal representatives, "ignorant of the wider aspects of statecraft," sought particularistic privileges in barter for their loyalty. A group of extremist Bagdad lawyers made much trouble in their strenuous and underhanded campaign against ratification. These men were suspected of instigating the attempt, April 20, to assassinate two tribal delegates known for their pro-treaty attitude.

The extremists started an agitation in the streets of Bagdad with a view of "terrorizing the deputies." It was necessary to call out a portion of the cavalry before the police could regain control. In the meantime "the deputies of all colors sat trembling in the Chamber."<sup>54</sup> The Bagdad correspondent of the *London Times*<sup>55</sup> predicted that ratification was unlikely. Nine Kurdish representatives refused to take part in the deliberations and Mosul representatives were urging the importance of the Turkish frontier. "In spite of British declarations as to the impossibility of making any" changes in the documents, some were confident that "extensive modifications" would be the "price of ratifications." He reported a considerable section of the people as inclined to return to the mandate as the treaty was too complicated and its financial provisions unworkable.

After every feature of treaty and special agreements "had been discussed repeatedly," and British resources were exhausted at explaining and conciliating, the British government, in fear of the consequences of further delay, decided "to put an end to the tension" by bringing the matter of the Iraq mandate before the Council of the League in June. The Iraq government was informed that if no decision had been reached by June 10 the treaty would be regarded as rejected and that the British government's statement to the Council would be "modified accordingly." On the tenth no decision was reached and adjournment was made until the next day. The prime minister and president of the Assembly, on being informed that the matter could not be postponed, made shift to get sixty-nine of the hundred delegates together after nightfall. Before midnight a vote was taken with the result that thirty-seven voted for the treaty and twenty-four against it, with eight not voting. Seven of these eight, according to the High Commissioner, had

54. *Ibid.*, pp. 21-2.

55. June 7, 1924.

previously voted against holding up ratification until amendments could be made. They refrained from voting in the last instance through fear of assassination.<sup>56</sup>

In the later discussions of the British Parliament concerning this treaty the opinion was expressed that, if left to themselves the Iraqi Constituent Assembly would not have accepted the treaty. One member saw it as his country's opportunity to be rid of Iraq, but "instead the Prime Minister [MacDonald] sent a curious telegram, in which he, apparently, "warned" Iraq "of the terrible things that would happen if this treaty were not ratified." Reference was made also to an article in the *Westminster Gazette* (of July 28, 1924) implying that the British government had brought all manner of intimidation to bear in order to secure ratification.<sup>57</sup>

The significant resolution by which the treaty was accepted stated that "this assembly considers that many of the articles of the treaty and agreements are so severe that 'Iraq would be unable to discharge the responsibilities of the alliance desired by the people of 'Iraq. But it relies upon and trusts the honor of the British government and the nobility of the British nation and is confident that they will not agree to burden 'Iraq, nor to prejudice the aspirations of its people. It is only this confidence and trust on the part of 'Iraq which has induced the assembly to accept the statements which have been received from His Excellency the High Commissioner on behalf of the British government, to the effect that the British government, after the ratification of the treaty, will amend with all possible speed the financial agreement in the spirit of generosity and sympathy for which the British people are famous. In view of this the Assembly recommends that His Majesty the King shall ratify the treaty, protocol and agreements, provided that immediately after such ratification His Majesty shall enter into negotiations with the British government in securing the amendments suggested by the committee of the Assembly. This treaty and its subsidiary agreements shall become null and void if the British government fail to safeguard the rights of Iraq in the Mosul vilayet in its entirety."<sup>58</sup>

While the treaty was being debated, Sir Percy Cox was at Constantinople attempting to negotiate an agreement with Turkey regarding the Turco-Iraq frontier. His fruitless efforts made it necessary, according to the Treaty of Lausanne (arts. 3, 2) to refer the Mosul boundary

56. *Ibid.*, p. 22.

57. *Parl. Debates*, Vol. 176, col. 1930.

58. *Ibid.*, col. 22-3.

question to the Council of the League.<sup>59</sup> The Mosul question will be considered in the next two chapters.

Following the acceptance of the Anglo-Iraq Treaty the Constituent Assembly proceeded to the consideration of the constitution which had been presented to it by the Council of State. After almost a month of debate the document was adopted, "with immaterial verbal changes," by unanimous vote. Then the electoral law was likewise unanimously passed, and on August 2 the assembly adjourned.<sup>60</sup> The treaty was ratified by Kings George V and Feisal, November 10 and December 12, 1924, respectively.

It will be recalled now that in November, 1921, the British representative on the Council of the League had stated to that body that his government preferred that Anglo-Iraq relations be placed on a treaty basis. After almost three years of negotiations and delays the documents were finally ready. Consideration of the Iraq mandate had been put on the agenda of the Council for June, 1924, hence the emergency (June 10) in the Constituent Assembly. On June 17, the British government laid before the Council of the League for its consideration, the treaty with Iraq, the subsidiary agreements, the protocol (signed April 30, 1923), and a draft instrument.<sup>61</sup> The last of these documents embodied the terms, presumably, of all the others. Discussion was postponed, however, until the next meeting. On September 19, Lord Parmoor, now representing Great Britain, presented to the Council a different draft instrument for Iraq, explaining that the only difference between it and the former one was the greater clarity of the latter.<sup>62</sup>

In presenting this instrument Lord Parmoor said, "We no longer think it practicable to adopt a mandatory form, even to regulate our obligations towards the League. . . . Iraq has advanced too far along the path laid down in article 22 of the Covenant for the particular form of control contemplated in that article to be any longer appropriate." He did not feel that he needed to make any apology for the situation which British policy had brought about. "We have acted in strict accord with the spirit of the Covenant, but we have moved faster than could

59. The part of the treaty referring to this question says, "The frontier between Turkey and Iraq shall be laid down in friendly arrangement to be concluded between Turkey and Great Britain within nine months."

"In the event of no agreement being reached between the two governments within the time mentioned, the dispute shall be referred to the Council of the League of Nations."

60. *Report*, 1923-24, p. 23.

61. Minutes of the Twenty-Ninth Session of the Council, p. 923; for draft instrument, see *ibid.*, p. 1014.

62. *Ibid.*, Thirtieth Session, p. 1314.

be anticipated when the Covenant was framed. That, I would submit, should be a cause for congratulation rather than apology." He believed, however, that all documents presented "taken together cover all the points embodied in the original draft mandate." He then referred to the fact that the protocol of April, 1923, would terminate the Anglo-Iraq treaty in four years. His government hoped that within that period Iraq might be admitted to the League. In case Iraq should not be in the League by the expiration of the treaty (though he did not believe that was likely), there would be an interregnum for which provision must be made. Parmoor closed by asking the adoption forthwith of the draft instrument, but more time was taken for studying the documents.<sup>63</sup>

At the meeting of September 27, 1924, the Council adopted, unanimously without any change, this draft instrument. They specified, however, that Great Britain should be responsible for Iraq's fulfillment of the provisions of the Anglo-Iraqi treaty with respect to other members of the League, who accepted "this arrangement and the benefits of the said treaty"; that she should make an annual report to the Council as to measures she has taken during the year towards carrying out the terms of the treaty and that there should be attached to this report "copies of all laws and regulations promulgated in Iraq during the year"; that the treaty should not be modified without consent of the Council; and that any disputes arising between Great Britain and any other member of the League with respect to this treaty, if not settled by negotiation, should be taken to the Permanent Court of International Justice.<sup>64</sup>

The arrangement for the administration of Iraq by Great Britain under article 22 of the Covenant of the League was, with the exception of Iraq's conditional acceptance of the treaty, now formally complete. The fulfillment of that condition was to be determined mainly by the relative strengths of the British evacuationists and the occupationists. Even though anticipated British revenues from Iraq were an ever vanishing illusion there were the vested interests, especially in oil, and an ever more sensitive British response to a world public opinion demanding fulfillment of obligations to the Iraqis under the principle of trusteeship. These interests and commitments, with the prospective termination of formal obligations in four years and with the settlement of remaining differences in the hands of the League and the Permanent Court of International Justice, seemed now of greatly reduced concern to the British mind. For the Mosul frontier question, not having been

63. *Ibid.*, pp. 1314-5.

64. *Ibid.*, pp. 1346-7.



settled within the period of nine months following the conclusion of the Lausanne treaty, as provided by article 3 of that agreement, was to go to the Council of the League.

Hence, we have brought to its conclusion the formal establishment of the so-called mandate for Iraq. But, as stated by Lord Parmoor, it was apparently not just the kind of relationship contemplated by article 22 of the Covenant. At least it must be said that the Iraq mandate introduces the idea of degree even into the conception of the "A" type of mandate. Such elaboration of the mandatory scheme was, however, what one might expect from the British with their system of self-developing law. The British way of "muddling through" has not come by accident. It has evolved through their centuries of diverse contacts and experience. As at home, so too, abroad, rather than impose fixed and arbitrary conceptions, they have learned to allow their subordinate peoples a larger and larger measure of social development according to the existing physical and social circumstances. As the leading mandatory power of the world Great Britain thus takes this principle of self-developing law into the constitutional structure of the new world order. The "trustee" idea, too, which has evolved in her municipal law, and which has been applied in some measure to her own vast colonial holdings, has now emerged into the world order. The outcome in its application to the most advanced type of mandate in Iraq was to be watched with profound interest by students of social science and by philanthropists the world over.

# THE STRUGGLE FOR MOSUL OIL

## *Agreement of British and Iraqi Interests in Mosul*

THE IRAQ NATIONAL ASSEMBLY, in finally and reluctantly accepting the mandatory arrangement, June 10, 1924, attached a significant proviso. Their resolution of acceptance expressed the fear that Iraq might not be able to meet her responsibilities contained in "many of the articles of the treaty and agreements" because they "are so severe." However, they would rely upon the "honor of the British government and the nobility of the British nation" not to "prejudice the aspirations" of the Iraqis. The Assembly concluded with the meaningful condition that the entire arrangement "shall become null and void if the British government fail to safeguard the rights of Iraq in the Mosul vilayet in its entirety."<sup>1</sup>

Great Britain entered no formal commitment, as yet revealed, by which she was to make good this condition. Perhaps none was needed. Six years of occupation left no doubt as to British desires in this connection. The Armistice of Mudros, October 30, 1918, closing hostilities between the Allies and Turkey, stated (art. 7) that "the Allies have the right to occupy any strategic points in the event of any situation arising which threatens the security of the Allies."<sup>2</sup> Promptly on the following day British troops started upon a thorough occupation of the vilayet of Mosul.<sup>3</sup> Immediately there was set up a *de facto* régime which, with the aid of the Iraqis, was maintained until the Treaty of Lausanne came into force August 6, 1924. Legal sanction for such procedure would doubtless require a very elastic interpretation of the foregoing provision. Turkish authorities claimed that the British constantly stirred up the Turkish population to serve as a pretext for

1. *Report of Commissioner*, 1923-24, pp. 22-3.

2. In *La Question de Mossoul de la Signature du Traité d'Armistice de Mudros*.

3. Toynebee and Kirkwood, in *Turkey*, p. 277, say that the greater part of Mosul vilayet was in the hands of the British before October 30, 1918, but not Mosul city.

further occupation. "It is evident," says one authority, "that British forces were determined that the Turks should evacuate the entire region."<sup>4</sup>

We have seen how Lloyd George had persuaded Clemenceau (December, 1918) to yield Mosul to Great Britain though the Sykes-Picot secret treaty had assigned it to France. This change was rather to be expected now since Great Britain was fully in control in Mesopotamia and Mosul while France needed her good will to retain and make secure her own footing in Syria. Doubtless other factors affecting the situation were that Mosul was more attractive to Great Britain now, since Russia need no longer be respected as was advisable at the time of the Sykes-Picot agreement (1916); and France was the more ready to yield now because of needing British support in forthcoming negotiations with Germany.<sup>5</sup>

There was, of course, a very remote possibility of war with the militant nationalist Turk in spite of the provision of the Treaty of Lausanne (art. 3, par. 2) which committed Turkey to amicable settlement of the Mosul question through the League of Nations, in case it was not settled by negotiations within nine months. Turkey was not in the League, but Great Britain was, and the other great powers in the League seemed sufficiently agreeable to British interests to make the quest for Mosul a safe risk.

In fact the drastic means used by the High Commissioner resulting in ultimate action by the Iraqi Assembly<sup>6</sup> shows how completely the Iraqi government was under British control. It is more than possible that the Assembly's demand for Mosul had its origin in a combined Anglo-Iraq objective with the major party determining the strategy.<sup>7</sup> From the standpoint of the aspiring nationalist Iraqis such a bargain with British economic imperialism might prove a boon in the long run. An economically self-sufficient statehood through the mandatory system might be thus realized. As for Great Britain, she would, in some measure at least, be put in the light of receiving an obligatory call from a backward people for aid in realizing a fuller self-determination. But whatever the reciprocal benefits, Great Britain was interested in imperial objectives, political and economic, especially in the very concrete commodity of oil.

4. Harry N. Howard, *The Great Powers and the Partition of Turkey*, p. 301. (Thesis for Ph.D., University of California, 1929.)

5. *Ibid.*, p. 303; also Francis Delaisi, *Oil: Its Influence on Politics*, p. 62.

6. See above, p. 123.

7. E. M. Earle seems to think that Great Britain was glad to have her hands thus tied (see *New Republic*, XL, 315).

## *The British Quest for Oil*

The British Empire was presumed to rest upon her supremacy of the seas, and the latter was rapidly coming to depend upon oil. Even before the World War (1912) the admiralty yielded to the policy of an oil-burning navy.<sup>8</sup> Where could she make sure of a supply of this indispensable source of power?

Early in the twentieth century William Knox D'Arcy, an Australian, sought an oil concession from the Turkish government. Failing in this he incorporated the Anglo-Persian Oil Company (1909), with the right to exploit oil resources in southern Persia. By 1912, however, German interests and the Royal Dutch-Shell oil interests had joined in the competition with D'Arcy for Ottoman oil. During this year a German-born Englishman, Sir Ernest Cassel, formed the conception of uniting all these interests, and organized the Turkish Petroleum Company for that purpose. The D'Arcy group would not participate in the project. The British and German governments now took a hand, with the result that a reorganized Turkish Petroleum Company was formed, including all those concerned, but leaving the D'Arcy interests, that is, the Anglo-Persian Oil Company, in control. This agreement was signed March 19, 1914, but the World War came before it was ratified.<sup>9</sup>

The British admiralty had in the meantime become greatly interested in the Anglo-Persian company. Churchill, the First Lord of the Admiralty, had caused a survey to be made of this company's oil fields. Upon a favorable report he stated in the House of Commons, July, 1913, that it would be the policy of the government to "become the owners or at any rate the controllers at the source, of at least a proportion of the oil which the navy required."<sup>10</sup> This determined policy had whipped Sir Ernest Cassel into the new Turkish Petroleum Company, and soon the British government through Churchill had a controlling interest in the Anglo-Persian Oil Company and, hence, in the Turkish Petroleum Company, its subsidiary. This latter company's pending agreement was to cover a monopoly of oil production throughout European and Asiatic Turkey except in the territories of the sheik of

8. "Ninety per cent of her navy is oil-fired (as compared with forty-five per cent before the war), as is a rapidly increasing proportion of her merchant marine" (Dispatch to His Majesty's ambassador at Washington enclosing a memorandum on the petroleum situation, p. 2, cmd. 1351).

9. For this agreement, as first published, see Appendix, E. M. Earle, "The Turkish Petroleum Company: A Study in Oleaginous Diplomacy," *Political Science Quarterly*, XXXIX, 265-79.

10. See *ibid.*, p. 270, for this quotation and also for discussion of this subject.

Koweit and in certain territories transferred by Persia to Turkey, 1913, in which the Anglo-Persian company had the oil rights.<sup>11</sup> By this connection with the Shell interests was opened an approach to participation in their worldwide activities. It has been said that the German interests participated in the agreement to offset American interests in Turkish oil.<sup>12</sup>

While this arrangement for British dominance in the exploitation of Persian and Turkish oil was not ratified, it furnished a basis for future claims to Mosul oil. We also have here necessary light on Premier Asquith's explanation of the presence of the British fleet in the Persian Gulf soon after the war began, 1914, "to protect the oil fields,"<sup>13</sup> as well as of instructions to General Delamain, in command, to "... occupy Abadan Island with the object of protecting the oil refineries, tanks and pipelines of the Anglo-Persian Oil Company."<sup>14</sup>

Early in the war (1915) the Dutch Shell interests, finding inadequate protection under Holland, had to submit to British control or be driven from the high seas. Henri Deterding, manager of the company, was Anglicized, moved his main office from The Hague to London to be nearer his source of diplomatic backing, and for services during and after the war was later (1920) made a Knight of the Empire.<sup>15</sup>

The development of the internal combustion engine made oil one of the main determinants of this world conflict. Prominent among the many inter-Allied projects for victory was the inter-Allied petroleum conference which pooled Allied oil resources against the Central powers. Just after the Armistice (November 21, 1918) the British government gave a dinner, at Lancaster House, to the members of this conference in celebration of victory. On this occasion Lord Curzon, referring to the extensive uses of oil as fuel and lubricant in lorry, airplane, and ship, said, "The Allies floated to victory on a wave of oil."<sup>16</sup> The foreign secretary's figure of speech shows him aptly minded in his service for a seafaring people.

If Britannia was to rule the waves in the future, should she not possess an oil empire? There is abundant evidence that during the Great War and just after, even British non-official opinion was greatly

11. See *ibid.*, p. 269, and art. 10, p. 279.

12. See John Carter, "The Bitter Conflict over Turkish Oilfields," *Current History*, XXIII, 494.

13. See above, pp. 37-8.

14. *Commission to Enquire into Operation of War in Mesopotamia*, p. 13, and cmd. 8610, 1917.

15. Earle, *op. cit.*, p. 273. See also Anton Mohr, *The Oil War*, pp. 66-7.

16. Delaisi, *op. cit.*, pp. 29, 87.

concerned with the inseparable connection of oil and the empire. In Mesopotamia and Mosul might they not have much of the two in one? Mosul had the oil but the entire area was strategic as to the accessibility and defense of the empire in the East. A British divine with a score of years' experience in Bagdad and Syria wrote, at the opportune moment, 1917, and for British consumption, a pamphlet entitled *Mesopotamia: The Key to the Future*.<sup>17</sup> He saw the area as key to the past also, for it is so "geographically situated . . . at the heart of the eastern hemisphere . . ." that it has been "closely connected with the most thrilling epochs of history," but "once again, by reason of the Bagdad railway schemes, Mesopotamia . . . holds the key to the whole world's future." He has been called by "kindly friends 'the Rural Dean of the Garden of Eden,'" but he would like to "protest" for "under the Turkish régime, that primitive paradise was unfortunately nowhere to be found."<sup>18</sup> However, introductory to a brief summary of British reforms there, he later stated that "in less than two years British occupation has transformed Lower Mesopotamia into something approaching a paradise," and "these astoundingly rapid changes are only illustrations of what can easily be done by a just and wise administration of a fertile country like Mesopotamia."<sup>19</sup> This divine's motives seem even more non-spiritual in the following: "Mesopotamia contains many underground rivers of valuable petroleum which here and there finds its way to the surface. I was once traveling down the Tigris from Mosul upon a raft of inflated sheepskins when, near Gyarah, we came to a black rock protruding from midstream, out of which there flowed a stream of oil almost as thick as one's wrist, polluting the river for many miles below. The ridiculous efforts made by the Turks to utilize a minimum quantity of this valuable oil may provide a ludicrous reason for the Turkish claim to a place, in this twentieth century, amongst the civilized nations of Europe."<sup>20</sup> And then British readers are reminded that "the vast undeveloped oil fields are of priceless value at a time when our needs for this essential commodity have so enormously increased, when nearly every engine and all the most modern ships are being constructed to be run by oil fuel."<sup>21</sup>

But this adviser of the homeland from afar is not merely oleaginuous. He has visions of the "finest wheat fields in the world" to "reduce the price of the people's bread"; of fruitful date gardens and orange groves; the breeding of ponies; the rearing of Angora goats with their "famous

17. Canon J. T. Parfit, *Mesopotamia: The Key to the Future* (London, 1917; 41 pp.).

18. Pp. 1-2.

20. *Ibid.* p. 17.

19. *Ibid.*, pp. 28-9.

21. *Ibid.*, p. 27.

silky wool so highly prized by manufacturers"; the cultivation of cotton. But of still greater importance than the development of the country's natural resources is "the reopening of its ancient highways and the construction of great trunk railways to India and the Far East." And now with the spirit of imperialism properly and adequately motivated, he concluded, true to form, that "of the very deepest concern to all mankind is the prospect that in the settlement of Mesopotamia and the adjacent lands of Islam lies the possible doom of despotism and the dawn of a better era for the inhabitants of all five continents."<sup>22</sup>

Of all the factors attaching the British here, doubtless the two most powerful were the securing of an adequate oil supply and the maintenance of imperial integrity. But the two cannot be separated when the one depends upon the other. Toynbee and Kirkwood think it was not for oil but for strategic reasons that Great Britain wanted Mosul.<sup>23</sup> Oil there was uncertain, and why back Iraq rather than Turkey for Mosul and oil? She took the course of her imperial interest and chose Iraq, they believe. But oil was not uncertain save as to how large the supply. Of course Mosul oil under Iraq was the better imperial objective, for by control of Iraq Great Britain could have both oil and empire. None knew better than Great Britain that the Great War had been to a very great extent a struggle between steam and oil.

The United States, by contributing 80 per cent of the oil for that struggle, had demonstrated the power of a nation with an adequate supply of this magic commodity. It is no wonder that Great Britain during the struggle and after, considering her insular and imperial sensitiveness to sea power, came to adopt such an aggressive economic policy. Referring to her attitude at the peace conference, Ray Stannard Baker says, "The old imperialistic leaders here had far more influence than the liberals in shaping British economic policy. In their eyes one of the greatest achievements of the war was the establishment of Great Britain's control over the oil fields of Mesopotamia. There she had dug herself in despite all liberal and labor attacks at home and protests from abroad. During the war the British government had gone heavily into the oil business in other fields while borrowing from the United States—and all on a monopoly basis. And at every point during the peace conference when an economic advantage was to be obtained,

22. Pp. 26-7.

23. In *Turkey*, pp. 279-80.

whether a railroad or a pipe line in Asia Minor, or phosphate in the island of Nauru in the Pacific, the British were keenly awake."<sup>24</sup>

It was thoroughly in keeping with this spirit that the partition of Turkish territory proceeded at a conference of the principal Allied powers at San Remo, April, 1920. We have seen how, at the peace conference President Wilson held out stubbornly for an Allied commission to determine the wishes of the Arab majorities, and how Lloyd George and Clemenceau successfully ignored the Wilson proposal.<sup>25</sup> We have seen, too, the findings of the King-Crane commission respecting the wishes of these peoples. Owing to the failure of the Treaty of Versailles at Washington, the United States had ceased to participate officially in these matters before the end of 1919, and the King-Crane report was not revealed until 1922. Hence, the disposition and delimitation of mandates and the distribution of economic privileges therein went on without any direct influence from the United States.

### *Occidental "Oleaginy" in the Occupied Territories*

So far as the scramble for oil in the occupied territories was concerned, however, the United States was not to be left out. Although not officially participating in recent events, she was not altogether ignorant of what was taking place. We have referred to her demand for the open door in these areas as a factor in delaying consummation of the Iraqi mandate. This long diplomatic struggle must here be recalled as an important factor in the Mosul question. It was more than a mere demand for the open door. In the larger sense it was the old nationalistic politico-economic imperialism. The supremacy of the seas, too, was now a definite issue between these two Anglo-Saxon rivals.

The United States was thoroughly aware of the spirit of economic aggression as shown at the peace conference. In the interim of her non-participation in international affairs, events, insofar as known or suspected, were not such as to allay the prevalent sensitiveness to national power. On March 10, 1920, the United States Senate adopted a resolution<sup>26</sup> asking the president for information, "if not incompatible with the public interest," as to "what restrictions, if any, are imposed either directly or indirectly, by France, Great Britain, Holland, Japan, or any other foreign country, or dependencies thereof, upon the citizens of the United States in the matter of prospecting for petroleum." This

24. Woodrow Wilson and World Settlement, II, 284

25. See above, pp. 48-9.

26. Senate Document No 11, Sixty-Seventh Congress, First Session.



demand was precipitated in large part, no doubt, by the arrest of an American prospector on the shores of the Dead Sea, October, 1919, by order of the British general then governor of Palestine. The report thus called forth from the Department of State giving the required information said, referring to Palestine, "The British policy in this section, *as in all other occupied areas*, seems to be to restrict petroleum activities, so far as that may be possible, by leaving in force for the time being the regulations in force prior to the time of occupation."<sup>27</sup>

This report was presented to the Senate May 17, 1920, but on May 12 Ambassador Davis had sent his vigorous note to Lord Curzon, British foreign secretary, demanding the open door for the Turkish occupied territories. He referred to the "unfortunate impression in the minds of the American public" to the effect that Great Britain had, in these territories, "given advantage to British oil interests which were not accorded to American companies, and further that Great Britain had been preparing quietly for exclusive control of the oil resources in this region. The impression referred to has, it is believed, been due in large part to reports of authoritative statements regarding the general oil policy of Great Britain, and of actual work such as the constructions of pipelines, railways and refineries, the operations of certain oil wells, the acquisitions of dockyards, cotton investigations, and permitted researches by certain individuals whose activities, though stated to be solely in behalf of the civil administration, were attended by circumstances which created the impression that some benefit at least would accrue to British oil interests."

The United States would venture to suggest certain propositions as a basis for discussion of this whole matter, assuming that the "legal situation as regards economic resources in the occupied or mandated regions would remain *in statu quo* pending an agreement." Among these propositions it would name the following: "That the mandatory power strictly adhere . . . to the principles . . . agreed to during the peace negotiations at Paris"; "that there be guaranteed to the nationals . . . of all nations treatment equal in law and in fact, to that accorded nationals . . . of the mandatory power . . ."; "that no monopolistic concessions . . . shall be granted"; that the United States "is entitled to participate in any discussions relating to the status of such concessions, *not only because of existing vested rights of American citizens*,"<sup>28</sup> but also because of the application of the general principles involved.<sup>29</sup>

27. Senate Document No. 272, Sixty-Sixth Congress, Second Session., p. 12. The italics are the author's.

28. The italics are the author's.

29. See above.

One may wonder if the ambassador here had in mind the Chester concession.<sup>30</sup>

By July 28 the ambassador had received no reply, but in the meantime had noted publication of the San Remo oil agreement and thereby was provoked to make further protest.<sup>31</sup> Before taking up this protest it is well to recall that the British, in addition to their conquest of Mesopotamia and Mosul, laid claim to oil rights there on the basis of the old but unratified Turkish concession to the Turkish Petroleum Company, made just prior to the war. The distribution of shares in this company at that time were: (1) 50 per cent to the Anglo-Persian Oil Company (under British control); (2) 25 per cent to the "Shell" group (under Dutch control); and (3) 25 per cent to the German group (under the Deutsche Bank). Now the San Remo oil agreement between Great Britain and France, April 25, 1920, referred to oil resources widely distributed, as in Russia, Rumania, and in various French and British colonies, but here we are concerned mainly with the following: "7. *Mesopotamia*. The British government undertakes to grant to the French government or its nominee 25 per cent of the net output of crude oil at current market rates which His Majesty's government may secure from Mesopotamian oil fields in the event of their being developed by government action; or in the event of a private petroleum company being used to develop the Mesopotamian oil fields, the British government will place at the disposal of the French government a share of 25 per cent in such company. The price to be paid for such participation to be no more than that paid by any of the other participants to the said petroleum company. It is also understood that the said petroleum company shall be under permanent British control."<sup>32</sup>

The 25 per cent here given France was that which had been conquered from Germany. It was now turned over to France, presumably, to reimburse her for the loss of Mosul to Great Britain (December, 1918).<sup>33</sup> A French writer says that this share went to France to secure the latter's support against the United States.<sup>34</sup> Lord Curzon said in his correspondence with the Department of State at Washington that

30. See above.

31. For this correspondence, see cmd. 1226, 1921.

32. *League of Nations Treaty Series*, I, 282-6.

33. See Quincy Wright, *Mandates under the League of Nations*, p. 49, note.

34. Pierre l'Espagnol de la Tramerie, *The World-Struggle for Oil*, p. 225 (trans. by C. Leonard Leese).

the share went to France "in return for facilities by which Mesopotamian oil will be able to reach the Mediterranean."<sup>35</sup>

In his second note Mr. Davis again reminded Lord Curzon "that the government of the United States is primarily interested in the effective application to these territories of general principles, already clearly recognized and adhered to during the negotiations at Paris, that such territories should be held and governed in such a way as to assure equal treatment in law and in fact to the commerce of all nations." It was the recent San Remo oil agreement which violates these principles. Great Britain and France had thus made "certain provisions for the disposition of petroleum produced in Mesopotamia, and giving to France preferential treatment in regard thereto." The consistency of this agreement with the general principles referred to "is not clear to the government of the United States." His government desires "to record its views that such an agreement, in the light of the position the British government appears to have assumed toward Mesopotamia and its economic resources, will . . . result in a grave infringement of the purpose of removing in the future some of the principal causes of international differences."

Lord Curzon thought that American doubts as to discrimination against her companies in Mesopotamia had been "satisfactorily dispelled" in previous correspondence, but he would again make denial of such. Also no pipeline or refineries had been constructed. The building of railways and dockyards was necessary to military occupation, and it was not true that exclusive control of oil resources had been sought. As to British oil policy in general, he referred to the fact that only 2.5 per cent of the world's oil production came from within the British Empire, and if Persian production were included, "in virtue of certain oil fields in that country being owned by a British company, the total amounts to about 4.5 per cent" of the world's total production. With this he compared the production by the United States, which altogether equalled more than 80 per cent of the world's total production (70 per cent within the United States and 12 per cent in the Mexican output). He referred also to the fact that the United States refused in 1913, to confirm a British oil concession in Haiti which had been approved by the Haitian government previous to American occupation and that the British had later been similarly treated by the United States in Costa Rica. "Very different has been the attitude of the British government." Its obligations have been kept, but "during the period

35. Letter of Curzon to Davis, February 28, 1921, cmd. 1226. For these provisions of the San Remo agreement see arts. 9 and 11, *League of Nations Treaty Series*, I, 284-5.

of occupation the grant of facilities and opportunities to British as well as to other private interests to investigate the natural resources of the country with the view of acquiring new claims or strengthening old ones" were necessarily suspended.

It was conceded "that due consideration must be given to all rights legally acquired before the outbreak of hostilities." Provision was made for this in the Treaty of Sèvres. The British government was "aware that certain rights were acquired in Palestine before the war by American citizens, while British interests, such as the Turkish Petroleum Company and other groups, claim similar rights either in Mesopotamia or in Palestine." These claims had to be given consideration.

No mention was made of American claims in other sections of the old Ottoman territories than in Palestine. The significant statement is made by Curzon, however, that "as part of the administrative arrangements under the treaty of peace with Turkey (Treaty of Sèvres) and the mandate, the oil deposits in Mesopotamia will be secured to the future Arab state." As for any preferential treatment given France by the San Remo agreement "such a proceeding would be consistent with the interpretation consistently placed by the United States government on most-favored-nation clauses in treaties."

Mr. Colby, replying November 20, 1920, could not harmonize the San Remo agreement on oil with the Curzon statement that Mesopotamian oil would be secured to the future Arab state, "as yet unorganized"; nor could he harmonize that agreement with his statement "that concessionary claims relating to those resources still remain in their prewar position." In fact such information as the United States government had indicated that prior to the war the Turkish Petroleum Company possessed "no rights to petroleum concessions or to the exploitation of oil" in Mesopotamia. Also he could not understand the British denial of any intention to set up a monopoly when the San Remo agreement provided that any private petroleum company which might develop the Mesopotamian oil fields "shall be under permanent British control."

Lord Curzon, February 28, 1921, again assured the Department of State that there was no intention of monopoly. He said, referring to the San Remo agreement, "the whole of the oil fields to which those provisions refer are the subject of a concession granted before the war by the Turkish government to the Turkish Petroleum Company." Then he took up the history of the British oil claims in Turkish territory and concluded with the assumption that they were valid because "the Turkish government, on the twenty-eighth of June, 1914, through

the grand vizier, informed His Majesty's ambassador, in an official communication, that the Turkish Ministry of Finance having been substituted for the civil list in the matter of the petroleum deposits known or to be discovered in the vilayets of Mosul and Bagdad, had consented to lease the said deposits to the Turkish Petroleum Company, the ministry reserving the right to fix later on its share in the enterprise as well as the terms of the contract." He stated that as for the German interests, they were liquidated and came into the hands of the British. It was recognized that these claims rest upon a mere "official undertaking given by the Turkish government," but "since the United States . . . will presumably expect" Great Britain to recognize Standard Oil rights in Palestine "based entirely on the grant of a prospective license" from the Turkish government, it was urged that the claims of the Turkish Petroleum Company were no less strong than those of the Standard Oil Company.

It was explained that what the United States regarded as preferential treatment of France with respect to Mesopotamian oil was simply a grant "in return for facilities by which Mesopotamian oil will be able to reach the Mediterranean." So the entire situation as provided in the San Remo agreement was only an up-to-date "adaptation of prewar arrangements." And there was nothing to "preclude the Arab state from enjoying the full benefit of ownership or from prescribing the conditions on which the oil fields shall be developed."

Lord Curzon now returned to American preëminence in oil production. Mr. Colby had stated that his country possessed only about one-twelfth of the world's oil resources, but his lordship pointed out that the United States Geological Survey had recently stated that the actual estimate of American oil resources was problematical, and were this so, Mr. Colby "was not taking into account the infinitely more problematical resources of countries still partially or wholly unexplored, from a geological standpoint." But "the United States controls a home production . . . which, whether it is about to reach its maximum point or not, is actually and potentially vast, while in neighboring countries it possesses a predominant interest in oil-bearing regions of exceptional promise." Curzon referred again to the "undisputed fact" that the United States then produced 70 per cent, and that American interests controlled another 12 per cent of the world's production. "It is not easy, therefore, to justify" the insistence that American control should now be extended to resources which "may be developed in mandated territories, and that too at the expense of the subjects of another state

who have obtained a valid concession from the former government of those territories."

While Great Britain<sup>36</sup> was pleased to find agreement between itself and the United States to the effect that "the world's oil resources should be thrown open for development without reference to nationality," it observed that in a recent act of the Philippine legislature (August 31, 1920) it was provided that "participation in the working of all 'public lands containing petroleum and other mineral oils and gas' is confined to citizens or corporations of the United States or of the Philippines." Curzon noted also that Mr. Colby did not attempt to refute his former statements concerning action taken by the United States in Haiti and Costa Rica.

Thus ended a notable diplomatic encounter—one of the greatest in the realm of economic imperialism. It is the greatest so far in that new field of international rivalries in oil.

It marked a new advance of the United States in its drive for world position and power. One could hardly put finger on a spot in which the United States had been more disinterested before the war than Mesopotamia. The situation had changed because: (1) Oil had displaced coal in the navies and in transportation; (2) Mosul oil fields were estimated to hold as much as four billion barrels;<sup>36</sup> (3) estimates of American geologists saw probable exhaustion of American oil resources in fifteen or twenty years; (4) British aggression for an oil supply; (5) activities of American interests in competition with British. From the foregoing correspondence is taken the following, which, as a warning to the British foreign office, represented a far-reaching change in the policy of the American Department of State:

"The fact cannot be ignored that the reputed resources of Mesopotamia have interested public opinion of the United States, Great Britain and other countries as a potential subject of economic strife."

Whatever implications the original Monroe Doctrine may have carried with respect to the United States leaving non-American affairs to the disposal of others, seemed now forgotten, notwithstanding the fact that the Covenant of the League of Nations had just recognized the validity of that doctrine. One American author feels that the United States had, in this instance, misused the lofty principles of the open door and the equality of economic opportunity in its oil offensive.<sup>37</sup>

36. Henry Woodhouse, "The Chester Concession as an Aid to Turkey," *Current History*, XVIII, p. 396.

37. E. M. Earle, "The Turkish Petroleum Company," *Political Science Quarterly*, XXXIX, 277.

But the American oil offensive went on. And we must follow somewhat more the Anglo-American conflict in oil policies since it has such important bearing upon Anglo-Turkish negotiations over Mosul.

Reference has been made to the Chester concession. Great American interests back of this project continued their long-fought battle for priority rights with British interests for Turkish exploitation. While these involved railway construction, mine and oil developments, etc., in various parts of Ottoman territories, we are here mainly concerned with these claims as they affected the Mosul question. Since the Chester concession extended into Mosul, American oil concerns made the American government the more formidable contender for a share in the Mosul oil.

It seems that all American presidents from McKinley to Harding, with their secretaries of state, have had a growing interest in the economic development of Turkey. It began in 1899 when Rear Admiral Colby M. Chester, U.S.N., was sent to Turkey in command of the U.S.S. "Kentucky" to lend "moral support" to the United States minister at Constantinople to secure payment of indemnity for destruction of property belonging to American missionaries during the Armenian massacre of 1899.<sup>38</sup> The favorable impression made by Chester during his sojourn in Turkish quarters brought him the opportunity to capitalize that popularity on behalf of enterprising American business men. Valuable official support in this initial move seems to have come from Mr. Roosevelt and Mr. Root, his Secretary of State.<sup>39</sup> It is the contention of Henry Woodhouse, long an associate of Admiral Chester, and who, in 1921, was entrusted with the task of organizing the Ottoman-American Development Company, that the Chester claims, resting upon a concession ratified by the Turkish Parliament in 1911, were the only prewar claims carrying a valid, legal right to such exploitation.<sup>40</sup> We have seen that Lord Curzon did not claim more than an official promise to a concession.<sup>41</sup> But E. M. Earle refers to the Chester claims as "unsubstantiated claims,"<sup>42</sup> and believes that Curzon's contention for the validity of British claims carries "much justification." The "Turkish Petroleum Company," he says, however, "may

38. Henry Woodhouse, "American Oil Claims in Turkey," *Current History*, XV, 953-4.

39. *Ibid.*, 955.

40. "The Chester Concession as an Aid to Turkey," *Current History*, XVIII, 397.

41. E. M. Earle, referring to the claims of the Turkish Petroleum Company, says, "It had been granted, *not* a concession but the promise of a concession" (*Political Science Quarterly*, XXXIX, 271).

42. *Ibid.*, note.

at least be said to enjoy priority over other competitors for the Mesopotamian oil fields."<sup>43</sup>

It is not my purpose to determine the relative merits of claims of these powerful contenders to a share in Mosul oil. We are here interested chiefly in the character of this international conflict and the results which followed. So forcibly did the United States and its oil interests present their case, justly or otherwise, that Sir John Cadman, technical adviser of the Anglo-Persian Oil Company and the British wartime oil dictator, made two trips across the Atlantic (1920 and 1922) and patched up an agreement apparently, for the time, satisfactory to the Americans. This approach was made at the request of the British government, and it resulted in the Anglo-Persian company's handing over to the Standard and other American interests one-half of its 50 per cent holdings in the Turkish Petroleum Company.<sup>44</sup>

Then followed a period of great uncertainty in Near East affairs, owing to the rise of the new Turkish Republic (1922-23) which threatened an upset of the Allied "selfish-determination" in those quarters. In the meantime American oil interests seemed to wait somewhat upon events. The delay was probably due in some measure to the entry of other American interests into the lists for Middle East spoils. One writer says that the Standard Oil Company sat "on the fence as long as the future ownership of Mosul remained undecided."<sup>45</sup> It seems that the inaction of the Standard consisted mainly in her not taking up her shares in the Turkish Petroleum Company. As we shall presently see, American interests in the Middle East were by no means inactive.

43. *Ibid.*

44. *Manchester Weekly Guardian*, March 20, 1925, p. 237. See also Sir Arthur Willert, *Aspects of British Policy* (1927), pp. 13-4, and Louis Fischer, "America and Mosul," *Nation*, CXXI, 756-7.

45. Fischer, *op. cit.*, p. 756-7.



## Chapter Eight

# GREAT BRITAIN WINS MOSUL FOR IRAQ

### *Negotiations at Lausanne*

THE OLEAGINOUS BACKGROUND in the preceding chapter will make more intelligible the Anglo-Turkish struggle over Mosul. We have seen Great Britain pursuing her interests in Mosul, opportunely and otherwise, even before the Sykes-Picot secret treaty, through the Paris peace conference, at San Remo, in the Treaty of Sèvres, and in the Anglo-Iraqi treaty. Now it is necessary to review the conflict at the Lausanne conferences (1922-23). The larger struggle by which the Kemalists had overthrown the old Ottoman government and now by prowess of arms stood ready to demand their old position in Smyrna, at the Straits, and in Europe beyond do not concern us here save as a background.

These negotiations, opening November 20, 1922, dragged on for three months and were destined to end in failure; but we must analyze the opposing views set forth. From December 14 to 31, 1922, Lord Curzon and Ismet Pasha, heading the delegations of their respective countries, carried on a correspondence over the Mosul issue covering thirty large printed pages.<sup>1</sup> Failing in private negotiations they resorted to extensive and labored arguments before the Territorial and Military commission of the Conference. While these arguments on both sides were informing and able, they presented much confusion of statements and many positive contradictions.

Curzon claimed that the Mosul question was mainly a matter of determining a frontier line. Ismet Pasha saw it mainly as an issue over the entire vilayet of Mosul. To be sure the Armistice of Mudros, October 30, 1918, had fixed a line which was to be respected, pending negotiations, but British troops had moved on into Mosul beyond that

1. *Records and Proceedings of the Lausanne Conference*, cmd. 1914, pp. 363-93.

line, justifying their actions on the armistice provisions allowing the occupation of such points beyond that line as seemed necessary for strategic reasons. The British contention that the issue was one of determining a frontier served as a basis for British opposition to a plebiscite for such a technical settlement. The Turkish contention that the issue was one as to who should have an entire province served as a basis for Turkish demands for a plebiscite in harmony with the principle that a people should have a voice in determining their political destiny. Application of the plebiscite principle was a truly western idea and Great Britain in opposing it here faced some embarrassment. Besides the difficulties of the technical aspects of a frontier line, she advanced other objections, namely, that Kurdish (Kurds predominated in the area) ignorance of ballot boxes, Turkish propaganda in Mosul, and the general attitude of the people not to take sides lest they otherwise prejudice their cause with their future, and as yet unrevealed, masters, would make the plebiscite valueless. Plebiscites too, had failed in other recent instances. Bloodshed might result. In addition, the Kurds and Arabs involved had not asked for a plebiscite and why should Ismet Pasha ask it for them, "poor fellows, they do not know what it means!"<sup>2</sup> Ismet Pasha pointed out in this connection that "... at the time of the so-called plebiscite organized in regard to the Emir Feisal, despite all the pressure exercised upon the population of the vilayet, it was only the minorities in the town of Mosul who took part in the vote." Hence it did not represent the wishes of the people.

Curzon referred frequently to British obligations to the Arabs. They had on various occasions promised that in case of Allied victory the Arabs should not be returned to the Turks. This promise would of course apply only to certain portions of the vilayet, especially to Mosul city. The British foreign secretary likewise made frequent mention of their obligations under the mandatory system. He pointed out that the mandate including Mosul had already been accepted under the League of Nations. It should be noted here that the Supreme Council, not the League, had, at San Remo, April, 1920, assigned the mandate to Great Britain; that the draft mandate, formulated by herself, was never accepted by the League; and that, while a treaty had just been signed (October 10, 1922) to displace the draft mandate, the whole matter yet lacked final conclusion. Ismet Pasha said that Turkey "has no knowledge of the mandate having been assigned to England; further, no juridical value can be attached to the treaties concluded in regard to Irak, a country which legally is still part of the Ottoman

2. *Ibid.*, pp. 361-2, and 357.

Empire." He reminded his lordship, too, that article 22 of the Covenant had been violated by assigning her this mandate without allowing the people to express themselves on the matter.<sup>3</sup>

Curzon advanced the argument of conquest. Turkey had been defeated. Great Britain now had been in full control of Iraq and Mosul for four years. But Ismet countered with the liberal argument that "the right of conquest, which is invoked as justifying the seizure of Irak and Mosul by England, has no validity in the present century." The Turks felt confident that "public opinion of all countries" would oppose an argument "so foreign to the spirit of modern times." He again emphasized the right of self-determination. The conquest argument was particularly invalid as to Mosul, "for this vilayet was occupied after the conclusion of the armistice and contrary to its provisions."<sup>4</sup> Curzon's reply to this last point was that on the day of the armistice (October 30, 1918) the British were already in possession of the main Turkish towns; they were thirteen miles outside Mosul city; that news of the armistice did not reach Mosul until November 1; when they occupied Mosul town, November 3, there was only one Turkish regiment there; that the Turkish commander did not receive the full terms of the armistice until November 4; and that on November 9 he was ordered to evacuate. All that the British did was covered by terms of the armistice allowing them to occupy additional points strategically necessary for holding what they had. Besides, armistice lines are not peace lines. They have never been.<sup>5</sup>

Curzon is something of the "bully" in his use of the conquest argument for taking Mosul. The Turkish taunt here at British violation of twentieth-century principles of international fair dealing came with singularly interesting force from the successors of Gladstone's "unspeakable Turk." The older democrats of the West are doubtless due other such embarrassing references from the newer democrats of the East.

These debaters were again in direct opposition as to the commercial interests of Mosul. Ismet saw the recent railway from Mediterranean ports through Anatolia into Mosul, as now connecting these two areas much more closely than Mosul and Iraq were connected. Mosul's outlet was the Mediterranean. Here was her easiest and most rapid communication with the industrial centers of Europe, needed as a market for her raw materials and as a source of manufactured goods.

3. *Ibid.*, p. 347.

4. *Ibid.*, pp. 347-8. He sees the case of Mosul as not unlike that of Smyrna, Constantinople and eastern Thrace, all taken after the end of hostilities.

5. *Ibid.*, p. 360.

The Persian Gulf route was now of secondary importance to the vilayet. "The timber and building-material used at Bagdad does not come from the vilayet of Mosul, but from that of Diarbekir; and similarly the grain shipped from Mosul to Bagdad comes mostly from Diarbekir and, like the timber, only passes through Mosul in transit."<sup>6</sup> Curzon denied emphatically that Mosul was commercially identified with Anatolia as Ismet Pasha claimed. He maintained that all of Mosul's trade was with Aleppo and Syria to the west, or with Bagdad to the south. All of Mosul's exports, grain, wool, hides, tobacco, went either to Bagdad or to Syria. Bagdad was mainly fed by wheat from Mosul. Imports did not come to Mosul via Anatolia, but as he had pointed out.

Ismet Pasha's favorite argument was in behalf of the wishes of the population. He urged application of the plebiscite as a matter of principle. For "the inhabitants of the vilayet urgently demand that they may be restored to Turkey," and "they know that in that event they will . . . become citizens of an independent state."<sup>7</sup> The British were seen as opposing the plebiscite because they feared the result.

The British denied at this point that the Kurds wanted to join with the Turks. They are not Turanian in race as Ismet had suggested, but Iranian, as all agree, according to Curzon. Their language is Iranian and their customs are quite unlike those of the Turks. Curzon had been among the Kurds and went so far as to say, "I would undertake to pick out a Kurd from a Turk any day in the week, and I could not unless I were blind possibly confuse the two."<sup>8</sup> Ismet replied, "Those who know Anatolia are aware that as regards manners, usage and customs the Kurds do not differ in any respect from the Turks" and that "while they speak different languages," they "form a single unit in respect of race, religion and manners."<sup>9</sup> He later went so far as to say that "the Kurdish people . . . are ready to endure any sacrifice in order to prevent such a separation" and "the Kurds and the Turks . . . have never ceased and never will cease for a single instance to fight with all their strength to insure that their province shall continue to form an integral part of Turkey."<sup>10</sup> An eminent English authority on Turkey says that the Kurds are the "one considerable non-Turkish and unassimilable minority who were neither Turkish in race nor genuinely Muslim in religion."<sup>11</sup>

As to the numbers and distribution of the population of Mosul

6. *Ibid.*, p. 349.

7. *Ibid.*, p. 361.

8. *Ibid.*, p. 356.

9. *Ibid.*, p. 343.

10. *Ibid.*, p. 345.

11. Toynbee and Kirkwood, *Turkey*, p. 115.

vilayet the opposing diplomats again did not agree. They presented the following:

	ISMET PASHA	CURZON
Turks	146,960	66,000
Kurds	263,830	455,000
Arabs	43,210	186,000
Yezidi	18,000	-----
Christians	-----	62,000
Non-Moslems	31,000	-----
Jews	-----	17,000
TOTALS	503,000	786,000

Ismet claimed that his statistics were gathered before the war (how long before, he did not say) when there was no motive for falsifying, and that they were gathered for recruiting purposes, which required accuracy. Besides the numbers he gave there were some 170,000 nomadic tribesmen who were Turkish, Kurdis, and Arab, but in what proportions he did not say. Thinking of the Kurds and Turks as one, he said that they constituted four-fifths of the population of the vilayet while the Arabs and non-Moslems were less than one-fifth.

Curzon on the other hand claimed that the British, who had been there for the past four years, had the more reliable statistics. He stated that there was not a Turk in the district of Sulaimaniya, where Ismet listed 32,960. Turkish figures were notorious in that they were obtained for recruiting purposes which prevented thousands from appearing in order to avoid military obligation. His estimates were gathered in 1921, and with the utmost care, by British officers who visited every part of the vilayet and made the most careful records of facts in each locality, town, and village. In Mosul city he reported a total of between 80 and ninety thousand, of whom fifty to sixty thousand were Arabs. He estimated that the Turks were only about one-twelfth of the total population of the vilayet.

And these "Turks" of Mosul vilayet, Curzon claimed, were not Osmanli Turks. They called themselves Turkomans, and while they spoke a Turanian language, it resembled Azerbaijani rather than the Turkish of Constantinople. They doubtless came to Iraq long before Osman founded the Ottoman Empire. He again raised the question of differences between Kurds and Turks. They speak an Iranian language and are believed to be descended from the Medes, who were once closely identified with the Persians. They speak a tongue allied

to the Persian and "resemble the Persians far more closely than either the Turks or the Arabs."<sup>12</sup>

It seems to be generally conceded that the Kurds greatly predominate in the vilayet as a whole and that the Arabs have a distinct majority in Mosul city. The latter was not admitted by Ismet, however, who claimed that the "Arabs" of Mosul city "are in reality Turks who, having long been in continued contact with Kurds and Arabs, have also learnt those two languages." Ismet's "Turks" were more than twice those of Curzon, while Curzon's Arabs were more than four times those of Ismet. While Curzon's total was somewhat more than that of Ismet they were in substantial agreement here.

### *The Question of Mosul Oil*

Ismet Pasha had not mentioned the matter of Mosul oil, but it was being "widely and constantly discussed in the press of the world." It was supposed that his government's attitude on Mosul was influenced by oil. "The question of the oil of Mosul vilayet has nothing to do with my argument," he said. He knew nothing of the amount of oil there; "it may turn out after all to be a fraud." While foreign secretary he had never spoken to or interviewed an oil magnate. He had had nothing to do with concessionaires or would-be concessionaires for Mosul oil or any other oil. He added, "I do not think that everyone in this room can say the same." Then he related how three members of the Turkish delegation had, during their negotiations at Lausanne, been sent to London "to offer oil concessions in the Mosul area (which is not theirs to dispose of) to British concessionaires."<sup>13</sup> They had gone there under the pretense of visiting British institutions but had returned aware of the fact that there was no such business to be done behind his back.<sup>14</sup> Ismet Pasha later stated that the two (not three, as Curzon had said) Turkish representatives who went to London during the negotiations at Lausanne had gone there to investigate the financial standing of certain groups seeking oil concessions in Mosul. On this same day (January 23, 1923) the delegation from the United States presented a statement to the Territorial and Military commission denouncing monopolistic development of Mosul's resources and demanding the open door.<sup>15</sup> So British as well as American oil men were at Lausanne, anxious, but uncertain as to which way the Mosul cat was going to jump.

12. *Records and Proceedings of the Lausanne Conference*, pp. 364-5.

13. Was it Great Britain's?

14. *Record of Proceedings*, p. 360.

15. *Ibid.*, p. 405.

As one reads the debate between these indomitable argumentative strategists it seems as if the contest might have gone on indefinitely without any hope of agreement. Recognition of the futility of further debate seems to have induced Curzon to suggest the League of Nations as the arbiter of the dispute. Ismet Pasha had refused to recognize the fact of a mandate in Iraq but Curzon pointed out that in one instance, in the settlement of the frontier between Syria and Turkey, the latter had accepted a settlement agreed upon by a representative of Turkey and a representative of France. That was a definite recognition of the fact of a French mandate in Syria. But Ismet Pasha would not agree to arbitrate a matter of Turkish territorial integrity, and insisted upon a plebiscite as a final solution. The Mosul people had been consulted in the choice of a king for Iraq, so why not in this far more important question? Here again is set forth the fundamental differences between the contenders. Curzon saw Great Britain in Mosul by right of conquest. She had "the principal Turkish towns in the vilayet" on the day of the armistice, although he had earlier admitted that "armistice conditions have nothing to do with the final settlement of the conditions of peace."<sup>16</sup> Ismet Pasha again denounced the conquest argument, first, because most of the vilayet, including Mosul city, was taken after the armistice, as were eastern Thrace, Constantinople, Smyrna, etc.; and second because the spirit of conquest was out of date. The second fundamental difference between them was, and it rested upon the first, that Curzon contended for a frontier line separating Mosul vilayet and Turkey, while Ismet Pasha contended for an entire province. In either of these cases, under conditions there prevailing, the application of the plebiscite would be difficult. In the matter of determining a frontier the plebiscite would be virtually impossible and of no value. In rejecting the plebiscite on the latter issue Curzon would seem quite right. His illustrations in the regrettable attempts at plebiscites in connection with Teschen and Upper Silesia were cogent.

Curzon had the better of the arguments as to the economic and strategic reasons for Mosul's going to Iraq. Racially speaking there seemed little to be said for either side.

In urging Turkey to accept the Council of the League as arbiter Curzon said to the Turks that since they would be represented and since the decision must be unanimous, "no decision can be arrived at without their consent."<sup>17</sup> As we shall see later, this statement made trouble for the British.

16. *Ibid.*, pp. 359-60.

17. *Ibid.*, p. 401.

In case Ismet Pasha persisted in his refusal to submit the issue to the Council of the League Curzon saw another way to avoid war which might otherwise follow. He stated definitely that he would appeal to article 11 of the League Covenant which says, "Any war or threat of war, whether immediately affecting any of the members of the League or not, is hereby declared a matter of concern to the whole League, and the League shall take any action that may be deemed wise and effectual to safeguard the peace of nations."

At this point the representatives of Japan, France, and Italy joined in commending Curzon's proposal and in urging Ismet Pasha to yield, but he refused. Eight days later (January 31, 1923), in discussing other matters of the conference, Curzon made the statement that the question of a boundary between Turkey and Iraq had "been referred by the British government, with the full support of her allies and with unanimous approval," so far as he could see, "of public opinion throughout the world, to the inquiry and decision of the Council of the League of Nations."<sup>18</sup>

The first Lausanne conference, after three months of fruitless efforts at conclusive peace between Turkey and the Allies broke up, February 4, 1923. Ismet Pasha, head of the Turkish delegation, went home with the emphatic pronouncement that the Allies should not make economic slaves of the Turks.

### *America at the Lausanne Conference*

Just before resumption of negotiations on April 23 the Turkish National Assembly had accepted (April 10) a renewed application for the Chester concession, three times as large as the original one. Among other extensive grants it provided for the construction of a railway into the heart of the Mosul vilayet with the right to exploit oil for twenty kilometers on both sides of the line.<sup>19</sup>

The second Lausanne conference, which arranged for a general peace with the Allies, failed to settle the Mosul issue. There is little wonder, under the circumstances, that the American delegation at this conference were against the British. Under Turkish control this rich area would the more likely lie open to American capital. The Americans, presumably, here prevented Turkish confirmation of the old British oil claims. And secret moral support which Ismet Pasha received from

18. *Ibid.*, p. 433. NOTE.—Later, when discussions took a more favorable turn towards settlement by negotiations, Curzon agreed to suspend his appeal to the League.

19. Text of the Chester concession as accepted by Turkish Republic, 4-10-23, is found in *Current History*, XVIII, 485-9.



political and business interests from the United States, it is said, stood in the way of a settlement of the Mosul question satisfactory to the British.<sup>20</sup> Arnold J. Toynbee, British traveler and student of the Near East, speaking of the period between the two Lausanne conferences, said, "While I was at Angora, the Lausanne Conference was eclipsed by the Chester concession."<sup>21</sup>

About a month after these events Secretary of State Hughes felt the need of a public statement explaining American participation therein. Referring to the Chester concession he said, "This government took no part in securing it; this government made no barter of any of its rights for this or any other concession. Our position is a simple one. We maintain the policy of the open door .... we demand a square deal for *our nationals*."<sup>22</sup> We objected to the alleged concession to the Turkish Petroleum Company .... because it had never been validly granted, and in so doing we stood for American right generally and not for any particular interest."<sup>23</sup> In this same address Secretary Hughes said, "A naval force has been stationed in Near Eastern waters since 1919. .... These vessels have been of inestimable service to the representatives of the Department of State and to all American interests in the Near East."

This American oil offensive, though diplomatic, but with force in the background, and though stubbornly pursued on the persistent plea for general principle, seems to have reached its main objective with a consummation of the Chester concession and the proffered share in the Turkish Petroleum Company.

### *Taking the Issue to Geneva*

If American influence had been a determining factor in the Mosul failure at Lausanne there was yet a possibility of beating this stalwart from the West. The latter might force a discussion of mandates and her sacrosanct principle of the "open door" outside the circles of the League of Nations, but the Mosul issue might be freed from direct American interference if committed irrevocably by treaty agreement to private negotiations between Turkey and Great Britain or to the Council of the League. But it was otherwise a fine stroke of diplomacy on the part of Curzon to appeal in the emergency to an established,

20. Louis Fischer, *op. cit.*, p. 757. He says that it is known that the British Mexican Company, a subsidiary of the Standard, encouraged the Turks to resist Downing Street's claim to Mosul. See also E. M. Earle, *Political Science Quarterly*, XXXIX, 271.

21. *Contemporary Review*, CXXIII, 682.

22. The italics are the author's.

23. *New York Times*, January 24, 1924, p. 10.

and presumably non-partisan, arbiter. His resort to article 11 of the Covenant was of the nature of a precedent and would likewise meet with the widespread approval of a world weary of war.

But Turkey, though new and more liberal, it must be remembered, was still in the throes of the first real modern nationalism. The Turks were heroic, on the whole sagacious, and by no means unmindful of national problems ahead. The question of the Kurd might well be of deep concern to them. While Allied and even world opinion drove them toward a proposed settlement by the League it is well to estimate the pressure from future nationalistic considerations. In a world dominated by nation-states the new Turk was merely aspiring to conform to the universal political pattern and procedure.

In the national pact, adopted by the Angora Assembly January 28, 1920, was the Turkish declaration of independence. Subsequently the shedding of blood in victorious battle made this declaration their first and most sacred political tradition. What did it have to say relative to the Kurds? Article I says, "Inasmuch as it is necessary that the destinies of the portions of the Turkish Empire which are populated exclusively by an Arab majority, and which on the conclusion of the armistice of the thirtieth [of] October, 1918, were in the occupation of enemy forces, should be determined in accordance with the votes which shall be freely given by the inhabitants, the whole of those parts, whether within or outside the said armistice line, which are inhabited by an Ottoman Muslim majority, united in religion, in race and aim, imbued with sentiments of mutual respect for each other and of sacrifice, and wholly respectful of each other's racial and social rights and surrounding conditions, form a whole which does not admit of division for any reason in truth or in ordinance."<sup>24</sup>

Only this portion of the pact remained to be fulfilled. The rest of that famous declaration, now become sacred to the Kemalists, had been sealed in blood. If their *de facto* régime was to become *de jure*, psychology required that there be the least possible infraction of this pact.

But this was a minor consideration. The Kurds were widely scattered in Anatolia, Syria, Mosul, Iraq, and Persia. That is, they are found in an area where divers interests compete in a stubbornly fought contest for partition. But they, too, had shown that universal spirit for self-determination. The greater portion of these people, a million and a half, were more or less permanently located in what must be regarded as a part of the Anatolian geographical unit. The natural Turkish de-

24. See E. G. Mears, *Modern Turkey*, Appendix, for the Turkish national pact.

sire to maintain the political integrity of this Anatolian geographical unit led the Turks to believe very thoroughly that this objective could not be reached without maintaining an even wider Kurdish solidarity within the Turkish fold. The hundreds of thousands of Kurds which it was proposed to leave to alien control just over the border in the Mosul vilayet would be a constant menace to the peaceful submission of the northern Kurds to Turkish rule. This would be especially true since the Kemalist program for the Kurds was one of "Turkification," and in striking contrast with the more or less local autonomy, already initiated but promised the more for the future, under the mandatory system just to the south.<sup>25</sup>

For some time following the war there was considerable talk of freeing the Kurds in an independent state, but the matter was not pursued—not even by the Kurds themselves until later. It should be noted here that the unratified Treaty of Sèvres provided (art. 64) that if the Kurds were allowed independence, the Mosul Kurds would not be prevented, by the principal Allied powers, from a voluntary adhesion to such independent state. The Kurds were situated somewhat like the Armenians in that nobody, save the Turks, wanted their habitat for strategic, economic, or other reasons; but they differed from the latter in that Western Christendom made no pretense of interest in the Kurds. Hence, the humanitarian spirit, here void of its frequent material interest, had left the Kurd to his fate. Subsequent manifestations of Kurdish national spirit, notably in 1925 and again in 1930, reveal, however, that the Kurdish question is by no means settled. While this feature of the Kurdish question could not be broached in Turkish diplomatic argument at Lausanne it was doubtless much in the thought of Ismet Pasha.

In spite of the fact that no western state had yet agreed to submit to arbitration any dispute involving its *vital interests*, Turkey finally agreed thus to dispose of the Mosul question. The second Lausanne conference had before it, April 23, a letter from Ismet Pasha proposing that in case the matter be not settled by friendly arrangement within twelve months it should be referred to the Council of the League. The representatives later agreed to reduce the time to nine months. The Treaty of Lausanne, signed July 24, 1923, article 3, paragraph 2, contains the following on this subject:

"The frontier between Turkey and Iraq shall be laid down in friendly arrangement to be concluded between Turkey and Great Britain within nine months.

25. See Toyabec and Kirkwood, *Turkey*, pp. 274-6.

"In the event of no agreement being reached between the two governments within the time mentioned, the dispute shall be referred to the Council of the League of Nations.

"The Turkish and British governments reciprocally undertake that, pending the decision to be reached on the subject of the frontier, no military or other movement shall take place which might modify in any way the present state of the territories of which the final fate will depend upon that decision."<sup>26</sup>

So far as concerns the private negotiations following the signing of the Treaty of Lausanne suffice it to say that the conferences at Constantinople (May 19 to June 9, 1924) between Turkey and Great Britain left the disputants firm in their original positions. It was apparently impossible that agreement could ever be reached in this way. Then it was that Sir Percy Cox, representing Great Britain, invited Fethi Bey, representing Turkey, to refer the matter, by the terms of the treaty, to the Council of the League. As the latter was unable to comply with this request Cox stated that Great Britain would take the question to the League. Again a letter went forward to the secretary-general asking that the question be put on the agenda of the Council. The League then invited the Turkish government to have a representative at the forthcoming meeting of the Council.<sup>27</sup>

In spite of Turkish persistent demand for the whole of Mosul, and, also, of whatever psychological importance Kemalists might attach to a complete fulfillment of the national pact, the agreement to go to Geneva was evidence of Turkish inclination to compromise. But while Turkey had at Lausanne indicated a favorable inclination towards the League of Nations, she had made no effort at membership in that international family, in which was also, at the time, no other of her coalition of states defeated by Great Britain and her Allies in the recent war. She was a small, a Mohammedan, a defeated state, called to court by a great power with Allied backing, by a Christian and victorious state. But the world's prevailing political patterns were being cut from western fabrics, and Turkey, with other more powerful orientals, had caught the vogue. But had she not some ground for suspicion that a world order under the ægis of the so-called "sacred trust" would still evince the spirit of nationalistic or imperialistic aggrandizement? The Kurdish question, with its accompaniments, constituted what nation-states had termed *vital questions*. Were Great

26. Cmd. 1929, 1923.

27. See *Collection of Advisory Opinions of the Permanent Court of International Justice*, Series B, No. 12.

Britain and the Allies ready to go to courts of justice with such questions, or did they stop by forcing the principle upon Turkey and her kind?

An armistice condition beginning October 30, 1918, in a hotly disputed area where dense ignorance and political, racial, and religious prejudices prevailed, had produced in northern Mosul a chaotic, sensitive, and dangerous situation. British and Turkish outposts, with troops in the rear, faced each other across an indefinite armistice line. To make a difficult matter worse, Nestorian Christians (Assyrian Christians) had, during the war, been evicted, it was said, by the Turks from their mountain home into Iraq as refugees. Now, after having drifted back into Turkish territory since the armistice, they were, by certain movements of Turkish military detachments, again pushed southward into Mosul. Fresh versions of the oft-repeated stories of Turkish Moslem persecution of Christians added to the dangers of clash between the opposing military contingents.

### *The Mosul Question Before the Council*

The Council at its thirtieth session, September 20, 1924, started its deliberations on Mosul. Extensive memoranda on the issue had already been presented to the Council by the two governments. Their arguments differed little from those made at Lausanne. Great Britain still argued for delimitation of a frontier line and Turkey for the whole province of Mosul. On population statistics and the wishes of the people they were as they had been. The Turks had weakened on the economic argument and now raised the question as to the right of one people to annex another simply for economic reasons. The Turks still referred to themselves and the Kurds in Mosul as a unit, constituting a majority.

Lord Parmoor and Fethi Bey representing their respective governments spoke before the Council, emphasizing points in their memoranda. It is interesting to note that while Lord Parmoor could say, in addressing his introductory remarks to Fethi Bey, "We stand on equal terms" before the Council, he could with special pertinence, address the Council as "my colleagues," a privilege not granted to Fethi Bey, as Turkey had representation on the Council for the purpose of this dispute only. Parmoor stressed Curzon's old arguments against a plebiscite and concluded by suggesting that the Council appoint a special commission to study and report on this dispute. The Bey claimed that all the people of Mosul were ardently attached to Turkey, but he could not see how a commission could determine the wishes of

the people. He saw the British by recent military operations trying to create a *de facto* situation north of the frontier in question. Parmoor denied the charge.

### *Committing Turkey in Advance*

Early consideration of the question before the Council revealed that the Turks were not fully committed, as was first supposed, to the definite and final disposal of the dispute by the Council. It had from the first seemed to the British that the Treaty of Lausanne was clear enough on this point. But *the Turks evidently were proceeding under duress*. A power as great as Great Britain would doubtless never have gone to Geneva with the Turkish side of this issue. Hence Parmoor had sensed the need of giving the Council a more definite case as well as of securing from Turkey a more binding committal to the result. That is, it should be understood what the Council was to decide, and that both parties were agreed, in advance, to accept the decision. On September 25, 1924, M. Branting<sup>28</sup> tried to settle these points. Parmoor agreed that the Council was not restricted to one of the two decisions, namely: "Who shall have Mosul vilayet?" and, "What should be the frontier between Iraq and Turkey?" It could make any other equitable solution. And his government was committed in advance to accept the decision. But Fethi Bey equivocated. He was evidently looking for a breach of escape. He would agree no further than to the application of article 15 of the League Covenant. He then accused Parmoor, the representative of Great Britain, of wanting to make the League a party to the case—a case under its own jurisdiction. Not being satisfied, M. Branting held private consultations with the two representatives in which Fethi Bey agreed that "there was no disagreement between his government and the British government . . . at the same time adding that he was convinced that the Council would base its decision in the first place on the wishes of the inhabitants." He finally agreed to the Council's determining "any line that it thinks fit to adopt."

### *The Commission of Enquiry*

By this time the Council had come to Parmoor's view of sending a special commission to study and report the whole frontier situation. Then a resolution was adopted unanimously by the Council, the Turkish and British representatives agreeing, that such a commission

28. Thirtieth Session of the Council, p. 1337.



be appointed and that the parties to the dispute agree, in advance, to accept the final decision of the Council.<sup>29</sup>

By the concluding lines of article 3, paragraph 2, of the Lausanne Treaty both parties agreed that, pending the decision, no military or other movements should take place which might modify in any way the *status quo* of the disputed frontier. At this same session of the Council Parmoor took the friendly right of any nation under article 11 of the Covenant of the League to complain of violations of this agreement. He referred to warnings sent the Turks and to a British air raid complained of by the Turks. The latter was to prevent hostile forces from crossing the river Hazil north of Rabanki. "The British authorities assuming that these forces were composed of irresponsible tribal elements, and apprehensive that their action, if unchecked would result in serious trouble amongst the border tribes, took the necessary step to drive some of the invaders back across the frontier by machine-gun fire from the air, which caused some casualties." After listing various Turkish depredations he said, "It was thus clear that the Turkish regular forces .... were willfully disregarding the *status quo*."<sup>30</sup>

Because of this situation, and in order the more effectively to carry out the provisions of the treaty, the Council, at Brussels, October 29, 1924, with agreement of the disputants, determined upon a provisional frontier line to be observed until the settlement was concluded. This line, called the "Brussels line," was somewhat south of the extreme frontier so far claimed by the British.<sup>31</sup> Though this line was designated without prejudice to the final decision, it did much to allay excitement along the frontier. Violations of the provisional line were, however, the basis of many a charge and countercharge between the two governments and to the Council of the League as well.

The Commission to study the situation on the spot was composed of three persons: Count Teleki, a distinguished geographer, and a former prime minister of Hungary; M. de Wirsén, Swedish minister to Rumania; and Colonel Paulis, retired from the Belgian army. It will be observed that all were from small countries, one a former ally of Great Britain, another an ally of Turkey, and the third a neutral country. The president of the commission was M. de Wirsén.<sup>32</sup> After studying all documents at its disposal, the commission visited each of the three countries concerned before going to the frontier itself. Following brief

29. *Ibid.*, pp. 1337-9, and 1358-60.

30. *Ibid.*, Annex 680 c, pp. 1585-6.

31. Thirty-First Session of the Council, pp. 1658-62. See map.

32. *Ibid.*, p. 1670, October 31, 1924.





sojourns at London and Angora, where they asked and received answers to many pertinent questions, they reached Bagdad January 16, 1925. They were accompanied by two secretaries (an Italian and a Swiss), three assistant secretaries, a Turkish assessor, and a British assessor, a representative of Iraq and others. During the ten days at Bagdad they interviewed all the leading persons in the town and community.

The commission found itself in the midst of tense excitement. It will be recalled that the Iraqi National Assembly had accepted the first Anglo-Iraqi treaty with the proviso that Great Britain should make the new government secure in its possession of Mosul. Now came the real test, as the Iraqis saw it. They were determined to stage a demonstration. To add to the excitement it was discovered that two of the Turkish experts attached to the commission were well known in Iraq and were *persona non grata* to the last degree. One had been implicated in a scheme to capture Kirkuk and Arbil (leading cities of Mosul vilayet) by Shiek Mahmud of Sulaimaniya, in 1923. He had subsequently fled to Angora to avoid arrest. The other was a brother-in-law of Mahmud and since 1921 had been his correspondent with the Turks. Both had been put forward at Angora as representatives of Mosul. Sir Percy Cox had exposed their pretensions at the conference at Constantinople in 1924. Sir Henry Dobbs, the British High Commissioner, in addition to the commission, "also invited the Turkish assessor to stay at the residency" but "the Turkish experts were housed in another part of the town."<sup>33</sup> The frontier commission's *Report* says, "the Turkish assessor informed the commission that his experts and aide-de-camp had been placed in an 'entrenched camp' and kept under observation."<sup>34</sup> Sir Henry complained to the commission that these men, "although nationals of Iraq" were now "availing themselves of the presence of the commission in order to return to Iraq and possibly, under the cloak of diplomatic immunity, to engage in activities likely to disturb peace and order." Their return was especially hazardous at this time of excitement. Threats were being made against them. He asked that they be recalled. The commission, "while deploring the fact" that the Turkish government had made such appointments, was "unable to share Sir Henry Dobb's views," since these men "were citizens of the vilayet of Mosul and could not be regarded as Iraqi subjects until the question of the frontier had been finally settled."<sup>35</sup>

33. *Report of High Commissioner*, 1925, pp. 8-10.

34. *League of Nations, Question of the Frontier Between Turkey and Iraq*, p. 7.

35. *Ibid.*

"It was unfortunate for Iraq," said the *Near East and India Magazine*,<sup>36</sup> "that her rulers at the time of the frontier commission's visit allowed themselves to be carried away by a sort of panic which impelled them, against the advice of the High Commissioner, to encourage demonstrations of school children and other rather puerile forms of propaganda which instead of impressing the commissioners, caused them to doubt the judgment and sense of proportion of the government, and consequently perhaps to undervalue the undoubted progress which Iraq has made towards stable and responsible self-government." Thus is explained the fact that the High Commissioner flew to Mosul, as the commission went thither, in a snowstorm "to dispel misunderstandings in connection with nationalist activities which were prejudicing Iraq's cause," as he states.<sup>37</sup>

The excitement about Mosul city was so great that the mutessarif, accompanied by the British administrative inspector, called upon the commission and "stated that they would be bound to establish a system of supervision" of the survey to insure the personal safety of the Turkish delegation. But since this would interfere with the freedom of action of the investigators, the request was refused. Safety must be provided otherwise. The commission realized that their inquiry "necessarily involved a certain emotional excitement among a population whose political education is still at a very primitive stage and which had been subjected to an intensive propaganda campaign." At first many felt that they should demonstrate their attachments before the commission. It was observed that those demonstrating for Turkey were frequently arrested and imprisoned. Especially at first members of the commission found it advisable to go about incognito. Sir Henry Dobbs exerted himself to end the demonstrations which were hindering the inquiry. But he complained that reports came to Bagdad to the effect that questionings put to witnesses "were bound to threaten seriously the authority of the British and Iraq governments throughout the disputed area." But he admitted that since one of the parties to the dispute was in occupation of the country that party was in a position of advantage and that the commission, consequently, had to use all possible means to secure the facts. When Dobbs again referred to the difficulty in maintaining order under the circumstances, "speaking as a jurist, Count Teleki pointed out that Iraq legislation could only be enforced in the disputed territory so far as it related to the administration of the country and the maintenance of order. In regard to all matters

36. August 27, 1925, pp. 246-7.

37. *Report*, *loc. cit.*

connected with the sovereignty over the country, it was not applicable." When Sir Henry suggested that the commission might work "in closer touch with the assessors and that public opinion could be consulted through the local authorities" the president said that the commission "was perfectly willing to consider suggestions of both parties but that it would pursue the inquiry quite freely as its duty dictated."<sup>38</sup>

The commission spent some two months in the disputed area visiting the principal localities, interrogating leading inhabitants and representatives of all classes and creeds with the assistance of the assessors. Apparently every effort was made to avoid further border disturbances, so far as the survey was concerned. Sir Henry later stated that "the inquiries of the commission had been so secretly conducted that the Iraq government didn't even know how the inhabitants had declared themselves."<sup>39</sup>

It is well to note some detail of other difficulties faced by the commission, since they reveal interesting and fundamental elements in the situation. Especially at the beginning, many witnesses showed a great repugnance to expressing their views. There was often much doubt as to the genuineness of replies. In spite of the exhortations of the commission in reassuring witnesses that their depositions would be kept secret the fear of reprisals was great and widespread. Fear of reprisals by existing authorities in the country was particularly marked. "More than one witness, after speaking in private and in a whisper in favor of Turkey, loudly declared himself in favor of the Iraq government in order that he might be overheard by those who were waiting outside." This hesitation was doubtless due, too, to fear of reprisals by Turkish authorities in case they should return to that power. They observed, however, that no Christians had any hesitation on the latter score. But this situation grew better as the survey proceeded.

Opinions were also influenced by holding office or by disappointment in securing positions and by securing, or failure to secure, other favors at the hands of authorities. Rivalries of chiefs was a factor in this regard. Some asked what testimony had been given by certain other persons, named, so that they might take the opposite position. The appointment of Kurdish or Arab officials in certain districts determined how great numbers of these people voted. As for tribesmen and peasants, great numbers, when asked their preference would simply refer members of the commission to their tribal chiefs or to the

38. *Report of the Commission*, p. 11.

39. Before Permanent Mandates Commission. Tenth Session, p. 60, November 8, 1926.

owner of the village, but chief and landlord could not always be relied upon for a safe interpretation of the wishes of these people.<sup>40</sup>

One person wanted his vote recorded as that of two other persons named, but they had been on opposite sides. Deputations who came to express their strong desire for Iraq would express themselves privately as convinced pro-Turks. Some upon a second consultation had changed sides. Some could not understand questions asked. Some liked Iraq because of improved conditions, and some because the Iraq government must be the stronger since it had won. Certain tribal chiefs were against Iraq because under Turkey they had been more independent. The more educated classes frequently favored Iraq on economic grounds. National sentiment determined the position of the Turks and many Kurds.<sup>41</sup>

### *The Commission's Report*

The commission had at its disposal the expert advice of more than a dozen eminent scholars of Europe, America, and elsewhere.<sup>42</sup> Their report is a fund of information and opinion apparently of a very authoritative and reliable sort. Owing to the general contradictory character of arguments by the Turkish and British representatives, the report deviates from them at many points. It finds both at fault, sometimes egregiously, but on the whole, it doubtless favors the British interpretation somewhat more. Below we shall attempt to summarize its main points bearing upon our purpose:

The disputed area south of the Brussels line was about 87,890 square kilometers (34,000 sq.mi.) and contained a population of about 800,000. The area between the Brussels line and the line to the north of it, claimed by the British, was about 3,500 square kilometers.

The area between the respective lines claimed by the disputants and the number of people concerned, were entirely too great "for it to be said that the question is merely one of delimitation," as held by the British.<sup>43</sup>

They "became convinced of the full force of the British assertions as to the insuperable practical difficulties of holding a plebiscite and the considerable doubt which might still remain as to its trustworthiness."

As to the respective numbers of the various racial and religious

40. *Report of the Commission*, p. 3.

41. *Ibid.*, pp. 75-6.

42. *Ibid.*, p. 13.

43. *Ibid.*, p. 17.

groups of the vilayet of Mosul they accepted as most reliable the census by the Iraq government, 1922-24, as follows:<sup>44</sup>

Kurds	494,007
Arabs	166,941
Turks	38,652
Christians	61,336
Jews	11,897
Yezidis	26,257

TOTAL            799,090

These figures differ from both sets of statistics as presented earlier.

For the liwa of Mosul they gave the following statistics:<sup>45</sup>

Arabs	119,500	(74,000 in the city)
Kurds	88,000	
Turks	9,750	
Christians	55,000	(19,250 in the city)
Yezidis	26,200	
Jews	7,550	( 4,000 in the city)

TOTAL            306,000    (96,250 in the city)

The Kurds, though neither Arabs, Turks, nor Persians, were more closely related to the Persians, as stated earlier in this chapter. They differ more from the Arabs than from the Turks.<sup>46</sup> While in virtual agreement with the British view on the Kurds they claimed that the Turks in Mosul whom Curzon called Turkomans, as distinct from Turks, were truly Turks.<sup>47</sup>

The Yezidis are likewise obscure in origin. They are devil-worshippers and claim to be different from all other peoples. They claim descent from *Adam* whereas all others are descended from Adam and Eve. They likewise claim descent from Noah, not from his children. They speak only Kurdish, but their sacred books are in Arabic. They die heroically under persecution for their religious beliefs, which keep them so separated from other peoples as to cause them many difficulties. They hold to both the Old and New Testaments and to the Koran, but are neither Jew, Christian, nor Mohammedan. They believe in a Supreme Being but claim that he is "far too high for direct

44. *Ibid.*, p. 31.

46. *Ibid.*, pp. 46-7.

45. *Ibid.*, p. 77.

47. *Ibid.*

worship." They take little heed of the earth. The commission was not so certain as to believe them Kurds as did the Turks and British.<sup>48</sup>

The two governments had given special attention to the political aspect of the problem of the Christians, particularly the Nestorian Assyrians. Their home had been originally the northern part of the disputed area and adjoining districts. Memoranda presented to the Council had referred to their persecution during the late war, to the question of refugees and then to their repatriation. While there were to be found in the country Jacobites, Latin and Syrian Catholics, Greek Orthodox Christians, Armenians and Protestants, these were few in number. The Nestorians and Chaldeans constituted the great bulk of Christians.

Nestorius was condemned as a schismatic by the Council of Ephesus (third century). "Nestorius taught that the Virgin Mary had given birth to Jesus the Man but not to Jesus as God." He and his adherents were persecuted in Byzantium but were favorably received by the Sassanids and later by the Abbassids. Most Christians in the Persian and Arab empires became Nestorians. The Mongol invasions, with other persecutions, drove the Nestorians into the mountains. They later became divided into two groups, one in the mountains and one in the plains. In the sixteenth century the Roman Catholics tried to draw them into union with Rome and were successful with those in the lowlands, in 1778, particularly because these people sensed a need of protection. This latter group has been called Chaldean. There were in all the country (not all in Mosul) about eighty to ninety thousand Nestorians and about forty thousand Chaldeans.<sup>49</sup>

The trade of the disputed area followed two main channels, the more important to Bagdad, the lesser to Syria. There was little direct trade with Turkey save for a "certain amount .... with the vilayets of Mardin, Diarbekr and Hakkari, which lie on the frontier." Mosul town itself would not suffer so much in being detached from Iraq, since it was the general trade center of the country, but other towns, such as Kirkuk, Kifri, and Sulaimaniya, for which Bagdad is the general center, would suffer.<sup>50</sup>

The line for which the British had contended would make "an excellent strategic frontier," but "the Brussels line offers almost the same strategical advantages," and there were other "acceptable strategic frontiers." The line suggested by the Turks would be good in its western desert stretches, but not so east of the Tigris.<sup>51</sup>

48. *Ibid.*, p. 50.

50. *Ibid.*, p. 72.

49. *Ibid.*, pp. 51-2.

51. *Ibid.*, p. 74.

As to the wishes of the people, the commission observed the following: There was "no national Iraqi feeling in the disputed territory," except among the more educated Arabs and this was rather an Arab feeling, chauvinistic and anti-alien. The Kurds showed "a growing national consciousness, which is definitely Kurdish and not for Iraq." This latter sentiment was strongest in the southern part. The absence of Iraqi national sentiment explained the large number of conditional preferences noted. "The most strongly nationalist Arabs say that they would prefer Turkey to an Iraq under foreign control." But a large number of Christian chiefs said that they "would feel less suspicious of a Turkish government than of an Iraq government without European control." "Many Arabs, particularly those of the poor classes, are pro-Turkish, and sometimes give touching expression to their sympathies." With the exception of the liwa of Sulaimaniya (pro-Iraq) "there is scarcely a single district," with any considerable extent, "where anything approaching unanimity in favor of one of the two parties can be observed."

These final conclusions "clearly demonstrate the weakness of the Turkish argument as applied to the vilayet as a whole, though if districts and races are taken separately they do not wholly justify the British view."<sup>52</sup>

Much space was devoted to the Nestorian Assyrians, about whom the commission was deeply concerned. Curzon had referred to the Turks as oppressors of these people. Ismet Pasha had replied that they had acted as traitors during the late war. The commission says, "There is no doubt that this people rose in armed revolt against its lawful government at the instigation of foreigners and without any provocation on the part of the Turkish authorities." As to who these "foreigners" were, the commission did not state. They also declared that the Assyrians under the Turks were treated "rather better than those of the other Christians" as they "were conceded a fairly wide measure of local autonomy."<sup>53</sup>

There were other political arguments to which they gave attention.

The British had urged their case on the following grounds: (1) A promise to the Arabs during the war not to permit the latter to be placed again under Turkish rule; (2) at San Remo, April, 1920, Great Britain accepted a mandate under the League of Nations for Iraq including Mosul; pending final decision by the Council, the League, in autumn, 1921, requested Great Britain to continue administration of Iraq in the spirit of the mandate; (3) in October, 1922, Great Britain

52. *Ibid.*, p. 78.

53. *Ibid.*, p. 83.



concluded a treaty with King Feisal in which each pledged not to cede or lease any territory in Iraq to any third party or to place such territory under its control.

Fethi Bey, however, completely answered this argument before the Council on September 25, 1924, by saying that Great Britain had done all this without Turkey's consent. Hence, this *triple pledge* was not legal. The commission accepted the Turkish view, therefore, that all the territories occupied by British and Iraqis still belonged in law to Turkey.

They believed that the conquest argument by the British was "in any event open to question." For the situation had so changed, owing to Kemalist victories, that the old Treaty of Sèvres was scrapped and a new conference called.<sup>54</sup>

As to British violation of the Armistice of Mudros, they felt that it was sufficient to say that the "occupation of the city of Mosul and of all towns in 'Mesopotamia' in which there were Turkish garrisons was permissible under article 16 of the armistice."

Certainly Iraq had no legal right to territory by conquest, for that state did not exist at the end of hostilities. "Nevertheless, it is morally entitled to ask that, since it has been created, it should be given frontiers which will allow it to live, both politically and economically. This, by implication, also imposes obligations on Turkey, who has on several occasions declared that she is willing to let the Arabs decide their own political future."

Here they mentioned the following facts: Mosul was now administered by Iraq assisted by Great Britain; a treaty of alliance between these countries was accepted by the League of Nations, September 27, 1924, as the form of mandate for Iraq; this treaty was to lapse in four years after ratification of the treaty of peace with Turkey; if, when the treaty lapsed, Iraq was not a member of the League, the Council of the League should determine what further steps shall be taken to give effect to article 22 of the Covenant; the Iraq Parliament ratified the treaty on condition that Great Britain guard the interests of Iraq in Mosul as a whole. These facts were mentioned because the existence of the mandate "might influence the settlement of the question, in view of its important effect on internal conditions in Iraq."

They recognized the great improvement in Iraq over prewar conditions. There were great reforms in security, health, and education. The number of elementary schools in Mosul had doubled and the number

54. *Ibid.*, p. 84.

of those attending school quadrupled. The British, not the Iraqis, were given the credit for this.

But internal conditions seemed unstable. Political leaders needed experience; there was tension between Sunnites and Shiites, the former predominating in Mosul vilayet, the latter in the vilayets of Bagdad and Basra; relations between Kurd and Arab were uncertain; Iraq administration had not yet displaced direct British control in Sulaimaniya.

Under these circumstances it would require a generation to consolidate and develop the new state. Should the mandate expire before such were achieved, that is, before Iraq was ready for self-government, it were better for Mosul to remain under Turkey, which "is incomparably more stable than would be the case with Iraq if the latter country were left to itself." Popular sentiments in Mosul might be a guide to solution. These "are probably somewhat in favor of Iraq, if the statements given in all parts of the territory are taken together."<sup>55</sup>

The commission's general conclusions,<sup>56</sup> very briefly summarized, were:

- I. Geographical—The "Brussels" line was as good as that proposed by British.
- II. Ethnical—The country was inhabited by Kurds, Arabs, Christians, Turks, Yezidis, and Jews, in that order of numerical importance.

The statistics and maps submitted by the two parties "are far from accurate." The latest statistics by the Iraq government were best but should be consulted with caution. The Kurds and Arabs were the only races which lived in compact masses in large areas.

The Christians were scattered but the great mass of them lived north of Mosul.

Of an estimated total of 3,000,000 Kurds, probably 1,500,000 lived in Turkey, 700,000 in Persia, and 500,000 in the disputed area. There were a few in Syria, but the number in Iraq (south of Mosul vilayet) was insignificant.

- III. Historical—It was beyond question that the disputed area had been for centuries under Turkey, but "that rule was for a long time exercised through the *pashas* of Bagdad."

It seemed that in any case historical links were bound to be broken, for Mardin, Jezireh and Diarbekr, which also share Bagdad history, were now under Turkey.

55. *Ibid.*, p. 85.

56. *Ibid.*, pp. 86-9.

- IV. Economic—Economic considerations argued for union of the area with Iraq, though the mountainous regions north of the Brussels line could be separated from it without the “slightest inconvenience.”

Should a more southern frontier be selected it would “be desirable to leave the middle course of the Diala in Iraq, since it is indispensable” for solving the irrigation question in that state.

- V. Strategical—The British line was excellent; the Brussels line was about as good; the Turkish line was good save in its eastern portion.
- VI. Political—The disputed area was Turkey’s until her rights were by her renounced.

Iraq had no rights there by conquest or law. She “can only advance moral arguments to the effect that, since a state of Iraq has been formed, the nature of its territory must be such as to allow of its normal developments.” These legal considerations were left for the Council.

While “considerable progress” had been made, especially in security, public health, and education, internal conditions were “still very unstable.”

The people were more in favor of Iraq but “the attitude of most of the people was influenced by a desire for effective support under the mandate, and by economic considerations, rather than by any feeling of solidarity with the Arab kingdom; if these two factors had carried no weight with the persons consulted, it is probable that the majority of them would have preferred to return to Turkey rather than to be attached to Iraq.”

The British claim to a portion of the vilayet of Hakkari in connection with a solution of the Assyrian question was not justified. “Whatever solution may be decided upon must of course be influenced by the necessity of securing a lasting peace in this part of Asia.” But the weight of this consideration as compared with other factors should be left to the Council.

- VII. Final conclusions—Considering the interests of the populations concerned it “would be to some advantage that the disputed area should not be partitioned.”

“On the basis of this consideration the commission, having assigned a relative value to each of the facts which it has established, is of opinion that important arguments, particularly of an economic and geographical nature .... operate in favor of

the union with Iraq of the whole territory south of the 'Brussels line,' subject to the following conditions: (1) The territory must remain under the effective mandate of the League of Nations for a period which may be put at twenty-five years; (2) Regard must be paid to the desires expressed by the Kurds that officials of Kurdish race should be appointed for the administration of their country, the dispensation of justice, and teaching in the schools, and that Kurdish should be the official language of all these services."

Otherwise, "it would be more advantageous for the territory to remain under the sovereignty of Turkey, whose internal conditions and external political situation are incomparably more stable than those of Iraq."

The views of the commission were, on all fundamentals, clear-cut and well reasoned. The one recommendation of most importance was, of course, that all the Mosul vilayet south of the Brussels line should be attached to Iraq, provided there be an extension of the Anglo-Iraq treaty for the period of twenty-five years.

### *The Report Before the Council*

They reported to the Council in July, 1925. In August, following publication of the commission's recommendations, public and official opinions thereon began to take form. It was soon evident that the British would seek to prolong the mandate and that the Turks would oppose that move.

Before the Council, September 3, 1925, Roushdy Bey accused Great Britain of advancing her claims against Turkey from time to time, beginning with the Sykes-Picot secret treaty of 1916. He later refused to reiterate the pledge of Fethi Bey to accept in advance the decision of the Council. He then took the position that the Council was not competent to dispose of Mosul to Iraq on condition that the mandate be extended twenty-five years, since Turkey had not recognized the mandatory system at all. "Turkey refused categorically," he said, "to accept articles 94-99 of the draft Treaty of Sèvres relating to the mandate. . . . The Treaty of Lausanne makes no allusion whatever to the mandate." He saw the League in this case as assuming the character of a claimant, not as a mediator. The Council would have to confine its study of the question submitted to it "within the limits of the existing treaties."<sup>87</sup> Mr. Amery, representing Great Britain, saw the

57. Thirty-Fifth Session, pp. 1326-7.

task of the Council as one to render an "arbitral decision given on the broad merits of the case," but Roushdy Bey held that the "only possible procedure" was to reach a solution with consent of the parties through the good offices of the Council and not by "a decision given by the Council without their consent." In support of this conclusion he referred to Curzon's statement at Lausanne, July 23, 1923, in which the latter had said there would be no decision without Turkish consent.

On September 19, 1925, the Council asked the Permanent Court of International Justice to give an advisory opinion on the following questions: "(1) What is the character of the decision to be taken by the Council in virtue of article 3, paragraph 2, of the Treaty of Lausanne—is it an arbitral award, a recommendation or a simple mediation? (2) Must the decision be unanimous or may it be taken by a majority? May the representatives of the interested parties take part in the vote?"<sup>58</sup>

The Court was asked to examine these questions at an extraordinary session and the two governments were requested to furnish the Court with relevant documents and information. It was hoped that their decision would be ready for consideration at the next Council meeting beginning December 7, 1925.

The Court accordingly met, October 22, but its registrar had in the meantime received a telegram from the Turkish foreign minister in which it was said that "... whilst having greatest esteem and respect for" the Court, the Turkish government "is convinced that the questions" on which the "Court's advisory opinion is asked are of a distinctly political character and, in the Turkish government's opinion, cannot form the subject of a legal interpretation." The Treaty of Lausanne and Curzon's previous declarations "exclude all possibility of an arbitration."<sup>59</sup> Notwithstanding Turkey's refusal to be represented before the Court, she, along with Great Britain, sent the Court "complete collections of the acts and documents relating to the conferences of Lausanne and Constantinople, and also collections of documents relating to the so-called Mosul question." She also answered certain questions presented by the Court.<sup>60</sup>

The Court's reasoning towards its final conclusions, for our purpose, needs only two references.

Curzon's speech, July 23, 1923, at Lausanne, could not, said the Court "be used to interpret article 3. It should in the first place be

58. *Ibid.*

59. *Collection of Advisory Opinions, Permanent Court of International Justice, Series B, No. 12, p. 8.*

60. *Ibid.*, p. 9.

observed that this passage forms a part of a speech formulating a proposal which was rejected by the Turkish delegation"; this "rejection is difficult to understand" if interpreted at the time as Roushdy Bey now wishes to read it. Moreover at the time of Curzon's proposal article 3 did not exist.<sup>61</sup>

And then the unanimous agreement, including the Turkish and British representatives, September 25, 1924,<sup>62</sup> on M. Branting's statements, shows that there was "no disagreement between the parties as regards their obligations to accept as definitive and binding the decision or recommendation to be made by the Council."<sup>63</sup>

The opinion of the Court handed down November 21, 1925, was:

"(1) that the 'decision to be taken' by the Council of the League of Nations in virtue of article 3, paragraph 2, of the Treaty of Lausanne, will be binding on the parties and will constitute a definitive determination of the frontier between Turkey and Iraq;

"(2) that the 'decision to be taken' must be taken by unanimous vote, the representatives of the parties taking part in the voting, but their votes not being counted in ascertaining whether there is unanimity."<sup>64</sup>

### *The Laidoner Commission*

The Council, owing to charges from both parties of serious violations of the *status quo* along the Brussels line, and of reciprocal denials of most of these charges, decided, pending this decision of the Court, to seek first-hand information of its own in this regard.

The frontier commission had attributed to foreign influence the discontent and movements of the Nestorians in Turkey during the war, as stated earlier. In discussing new charges of deportations of Christians to the south of the Brussels line at this time Roushdy Bey said:

"As I have already said on many occasions, and as I desire to repeat once more, no deportations of Christians have occurred in Turkey. There can be no doubt whatever on this subject." As to the Nestorians, he said that they "still continue to work against their own country under orders of a foreign government, and when they fear punishment for their treacherous acts towards their own country they hurriedly take refuge on the other side of the Brussels line."<sup>65</sup>

Though both parties were agreed as to sending this special mission

61. *Ibid.*, p. 23.

62. See above.

63. *Ibid.*, p. 25.

64. *Ibid.*, p. 33.

65. Thirty-Fifth Session of the Council, pp. 1384-5.

to secure the facts about these recriminations, the Turkish representative would not agree to allow investigation north of the Brussels line. There was no dispute regarding this area and investigations there would involve the minorities question on which he had no authority from his government to speak.

The distinguished Esthonian soldier, General F. Laidoner, was appointed by the Council (September 28, 1925) to investigate the situation in the vicinity of the provisional line and to keep the Council informed as to current happenings there. He was to be assisted by a Czechoslovakian, a Spaniard and two secretaries. The entire group arrived in Bagdad October 26, where they received evidence in documents and correspondence from High Commissioner Dobbs. Later they made detailed investigations at Mosul, and then they studied the situation on the spot, just south of the Brussels line. The report was concluded on November 23. In the general conclusions it was stated that "most of the incidents which took place .... during the last summer and autumn are ordinary frontier incidents, inevitable so long as the frontier question is not definitely settled and the line has not been marked out on the spot. During my stay in Irak there were no important incidents, and, with the exceptions of the deportations, the former incidents were not repeated."

Certain of these incidents, in Laidoner's opinion, were of no importance so far as the Council's decision was concerned. "The question of the deportations of Christians is infinitely more important, for these deportations are causing fairly serious and easily comprehensible agitation and nervousness among the Christian population living south of the Brussels line and in the vilayet of Mosul, and also among the Moslem population of Mosul which favors the claims of Irak." Laidoner himself, and his assistants separately, "made very detailed and impartial investigations during four days" among these refugees. They found "absolute agreement" in the statements of refugees from different villages, questioned separately, as follows:

"(1) Turkish soldiers, under the command of officers, occupied the villages, and in the first place obtained delivery of all arms; they then imposed very heavy fines and demanded women; they then pillaged the houses and subjected the inhabitants to atrocious acts of violence, going as far as massacre;

"(2) The deportations were deportations *en masse*. .... During the deportations several persons fell ill on the way and were abandoned; others died of starvation and cold, for, when leaving their homes, they

had to abandon everything and were unable to carry with them either food or clothing.

"This is the general account given by the depositions. We have, moreover, seen ourselves, that all those who have arrived are in an absolutely pitiable state."

"In the district of Zakho there are at present some three thousand deported Christians, and every day isolated groups continue to arrive in Irak."<sup>66</sup>

Not being able to hear explanations of Turkish officials, nor to make inquiry in the villages from which the refugees came, they could not ascertain the real causes of the deportations. But this, he thought, constituted the most important feature of the situation.

The Laidoner report was before the Council December 10, 1925.<sup>67</sup> It is said to have had considerable influence upon that body in determining its final decision.<sup>68</sup> The Turks claimed that the British staged presentation of this report for its dramatic effect in arousing religious prejudice against them.<sup>69</sup>

#### THE COUNCIL'S DECISION

On December 8, 1925, representatives of the two countries discussed before the Council the advisory opinion of the Court.<sup>70</sup> In this opinion Mr. Amery, for Great Britain, saw confirmation of his formerly expressed view that the real obligation resting upon the parties was contained, not in "any assurances or declarations that either of the parties have made or may make," but in "the terms of article 3 of the Treaty of Lausanne." But Munir Bey, for Turkey, said that the Council's sense of a need of the views of lawyers on this subject showed that there "was a certain doubt in the minds of the members who voted in favor of such a step, and that consequently such an understanding did not result from the text of article 3 of the Treaty of Lausanne." Turkey could not therefore be bound by this advisory opinion, but she should not thereby "be considered as in the least degree diminishing the profound respect which the government of the Republic has always felt for the Court." Turkey had voted against asking for this opinion; it should have come only upon a unanimous request of the parties concerned. He then entered upon a long argument to the effect that the Council could have, under article 15 of the Covenant, only mediating,

66. Cmd. 2557, pp. 2-7.

67. Thirty-Seventh Session of the Council, p. 145.

68. Toynbee and Kirkwood, *op. cit.*, p. 284.

69. See *Current History*, XXIII, 765.

70. Thirty-Seventh Session of the Council, pp. 120-9.



not arbitral powers, and that the vote of Turkey should be counted in determining unanimity of action. When the Grand National Assembly ratified article 3 it understood that it could not "leave the destinies of disputed territory to the luck of arbitration."

The advisory opinion of the Court was then accepted unanimously by the Council, the Turkish vote in opposition not being counted.

Immediately thereafter Munir Bey, in harmony with his position that the Council possessed no powers of final decision, stated that the "Turkish delegation would inform the Grand National Assembly of Turkey of this recommendation."

At the meeting of the Council on December 10, Turkey was not represented, though a letter was presented from Roushdy Bey, the foreign minister, which referred (this was the second reference) to the expert opinion of Professor Gilbert Gidel on the Turkish side of this dispute over the Council's powers. At the meeting of the Council, December 16, 1925, the Turkish representative was likewise absent, though again presenting a letter. After reiterating statements made by Munir Bey on December 8, he declared "that the sovereign rights of a state over a territory can only come to an end with its consent, and that therefore our sovereign rights over the whole of the vilayet of Mosul remain intact."

### *The Disposition of Mosul to Iraq*

Then there was laid before the Council (December 16, 1925) by M. Unden (rapporteur), representing a special committee of that body to study and recommend with respect to this entire dispute, an extensive report followed by a resolution for the Council's consideration and adoption.

The report laid much emphasis upon article 3 of the Treaty of Lausanne, the report of the Commission of Enquiry, the opinion of the Court, and the Laidoner report. After quoting extensively from the second of these he said, "The committee recognized that an equitable solution of the dispute could only be found in following the main lines of the final conclusions of the Commission of Enquiry." The resolution proposed was in main outline as follows:

1. The frontier of Turkey and Iraq should be fixed as follows: (Here was a long and detailed list of "calls" following the "Brussels line").
2. The British government was invited to submit to the Council a new treaty with Iraq, insuring the continuance for twenty-five years of the mandatory régime defined by the Treaty of Alliance between Great Britain and Iraq and by the British government's undertaking

approved by the Council on September 27, 1924, unless Iraq was, in conformity with article 1 of the Covenant, admitted as a member of the League before the expiration of that period. As soon as, within a period of six months from the present date, the execution of this stipulation had been brought to the knowledge of the Council, the Council should declare the present decision had become definitive and should indicate the measures required to insure the delimitation on the ground of the frontier line.

3. The British government, as mandatory power, was invited to lay before the Council the administrative measures which would be taken with a view to securing for the Kurdish populations mentioned in the report of the Commission in its final conclusions.

4. The British government, as mandatory power, was invited to act, as far as possible, in accordance with the other suggestions of the Commission of Enquiry as regards measures likely to ensure pacification and to afford equal protection to all elements of the population, and also as regards the commercial measures indicated in the special recommendations of the commission's report.

Before the vote was taken the president of the Council reminded the members that if their decision was to have any effect it must be unanimous, the votes of the parties to the dispute not being counted in the unanimity.

The vote was unanimous.

As the president then announced, "the decision which had just been taken became the decision of the Council in virtue of article 3 of the Treaty of Lausanne." And in the name of his colleagues he urged the parties now to come to "friendly agreements in order to put to an end the regrettable state of tension existing between them. . . . By doing so, they will assure the strengthening of the foundations of peace, which is the essential object of the League of Nations."

### *The Decision and Turkish Reaction*

The Council thus acquitted itself of the special task assigned it fully conscious of the general rôle which the League of Nations was designed to play in the affairs of the world. The readiness of the League to give its services in this case was only more marked than was that of the British to submit the issue. The reluctance of the Turks in yielding to such disposition of the issue was emphatic at every stage. It is evident that they had come thus far under the whipland of British and Allied power. What would they now do with the League's decision?

This decision rested solidly upon the report and recommendations

of the Commission of Enquiry. The final recommendations of this commission converged in their emphasis upon the interests of the people of Mosul vilayet. These recommendations, as was the decision, were in line with British objectives, be they mainly economic, strategic, imperial, or otherwise. But it was just this interest of the people which would be the better served under British control that determined the commission's opinion; otherwise, "it would be more advantageous for the territory to remain under the sovereignty of Turkey." In addition to their solicitude for the people as a whole the commission was next concerned in an autonomous arrangement for the Kurds, and finally, the welfare of the Christians called forth their earnest recommendations. This consideration for the peoples concerned was in general harmony with the mandatory idea, and this idea bulked large in the *raison d'être* of the League. There was no alternative to the twenty-five-year period of British guardianship, under the scheme as finally adopted by the Council, save membership in the League itself. This would presumably perfect the application of the principle of self-determination insofar as it could, under the circumstances, be applied to the diverse situation in Mosul.

This might be best for the people of Mosul; it might be best for the peace of the world; it certainly would tend to give vogue and prestige to the League. But what of Turkish nationality, especially as related to the Kurdish question? And what of the Kurdish question on its own account?

Mosul with her half-million Kurds lies near the heart of the Kurdish country. Because of the agriculture, oil, commercial, and other economic possibilities of the area she may in the future tend to draw surrounding Kurds into the Mosul economic unit. The Kurdish national spirit of the future will get great impetus, if not its chief contribution, from the autonomous Kurds of Mosul where the Kurdish language, literature and traditions are being nurtured through education and practice. By striking contrast this liberalism is likely to upset the Kemalist program of "Turkification" among the nearby Anatolian Kurds to the north. Arnold Toynbee, while at Angora in 1924, found from conversations with various leading persons, among them Ra'uf Bey, prime minister, that the dominant motive behind Turkish persistent demand for Mosul was neither economic, nor strategic, but political. It was concerned entirely with the Kurdish question. In this connection, he said that "even the Treaty of Sèvres left the northern half of the Kurdistan within the Turkish frontiers. . . ."<sup>71</sup> The implica-

71. "Angora and the East," *Contemporary Review*, CXXIII, 686.

tion was that the new and militant Kemalists might be expected to secure more.

The strain of these strenuous months of diplomatic struggle for Mosul, with the possible contingent of war with Turkey, were too much for Feisal's none too strong constitution. After two months in the diplomatic circles of western Europe, presumably for the improvement of his health, the king in his parting address at London (October 9, 1925) said that the separation of Mosul from Iraq would be "a terrible and possibly fatal blow." It would necessitate "further expenditure on military preparation."<sup>72</sup> Shortly after Feisal's return home it was announced that the army was to be increased from eight thousand to twenty thousand.

About the same time Kemal Pasha said, "Mosul is Turkish and nothing can ever change that fact, even bayonets. We want the whole former vilayet of Mosul on both sides of the Tigris; and mandate or no mandate, we shall never abandon that view . . . as every national frontier in Europe is today based on strategic considerations, we are merely following the general lead."<sup>73</sup> At the same time came reports of Turkish recruits being called to colors; of the movement and concentration of troops; and of the planting of mines in Turkish harbors. It is interesting to note that in the meantime, as if it were a part of the Kemalist general defense program, westernization was proceeding under the relentless hand of the dictator.

On Christmas day following the Council's decision (December 16, 1925) there was held at Angora a supreme military council which considered the two leading and related questions of the hour, namely, the Mosul issue and Turco-Russian relations. But the possibility of unsatisfactory consequences from Russian aid to Turkey, in case she should go to war with Great Britain, seems to have led the council to decide against the use of force, at least for the time.<sup>74</sup>

But the Turkish press was militant. The Constantinople *Jamhouriet* is quoted as saying that the League's decision "proves once more that the League of Nations is the servant of the strongest, namely, Great Britain. . . . Only in the medieval ages do we encounter such unjust and tyrannical decisions. . . . As the case was during our campaign for nationhood, so now the rights of the Turk are safe under the sharp bayonets of the Turks, and we know perfectly well how to take back with our own hands 'Turkish Mosul'—given to Great Britain by the

72. *Current History*, XXIII, 450.

73. *Ibid.*, p. 292.

74. *Ibid.*, p. 765.

League of Nations—just as we saved Adana, Broussa, Smyrna and Constantinople.”<sup>75</sup>

The Constantinople *Hakimiet-I-Millieh* saw the East as “fed up with being cheated by the West, and being a tool in the hands of ambitious powers.”

In view of the existence of a treaty of friendship and mutual benevolent neutrality between Turkey and Russia, it is interesting to note a statement reported to have been given the *Berliner Tageblatt* by the Russian Foreign Minister Tchitcherin at the time. He saw the Turks as not wanting war, but as being “prepared for any sacrifice for the most vital question of Mosul.” And “instead of solving the controversy” the League “has created a new crisis.” Russia would not join the League, which was “not an institute for peace, . . . but serves to brew intrigue. The Russo-Turkish treaty must not astonish any one. It was quite natural that the eastern nations should sign a treaty for their safety as the western nations signed one for theirs at Locarno.”<sup>76</sup>

But Roushdy Bey, the Turkish foreign minister, was conciliatory. The Mosul question was the only issue left between his country and Great Britain and it “must be solved peacefully.”<sup>77</sup>

Turkey’s final acceptance of the League’s award of Mosul to Iraq, it is said, was due to Great Britain’s pulling “a few political strings in the Mediterranean.” Mussolini visited Tripoli in April of 1926 after which it was rumored that he had promised to invade Anatolia in case Turkey should make trouble over Mosul. Greece was to take Thrace and Smyrna in the newly projected partition.<sup>78</sup>

The outlook for Anglo-Iraqi success began to glow as never before. The political atmosphere now became so clear and salubrious that King Feisal’s restored health permitted him to say: “I see no reason why Iraq should not have an amicable alliance with England, not only for twenty-five years, but for any length of time which may be necessary, provided always that the dignity of the nation is preserved, and that there are no stipulations which would retard the progress of the Iraqi people.”<sup>79</sup>

The decision of the Council, December 16, 1925, fixing the frontier between Turkey and Iraq, carried the stipulation that, before their decision should become definitive, Great Britain should submit to it

75. Quoted in *Literary Digest*, February 6, 1926.

76. *Ibid.*

77. *Ibid.*

78. *Current History*, XXIV, 477; Marguerite Harrison, *Asia Reborn*, p. 177; and “Augur,” “The Mosul Treaty,” *Fortnightly*, CXXVI, 52.

79. *Current History*, XXIV, 925.

a new treaty with Iraq extending for twenty-five years the mandatory régime as provided in the original treaty, unless Iraq be admitted to the League before expiration of that time.

This new treaty, which was accepted by the Council in March, 1926, in addition to the twenty-five-year maximum extension of the relationship of the old treaty (1922), contained also a pledge by Great Britain to examine, August, 1928, and at successive four-year intervals thereafter throughout the twenty-five-year period, Iraq's fitness for League membership.

In the meantime was being negotiated a tripartite treaty among Great Britain, Iraq, and Turkey, consummated by the latter's ratification, July 18, 1926, by which Turkey agreed to the "Brussel's line," with slight modifications, in return for 10 per cent of the Iraq royalties from Mosul oil for twenty-five years and neutralization of the Turco-Iraqi frontier.

Here is a definite instance of forced arbitration with Turkey persistently and stubbornly resisting the ultimately inevitable. The issue was distinctly of the type which western nationalism had just as persistently and stubbornly refused to submit to arbitration. In this as in other things the Turks were "merely following the general lead." It is to be hoped that Great Britain and her allies, as well as the rest of the world, will be good enough in the future to make voluntary application of the principle here forced upon Turkey. But the hope suffers impairment from the fact that in this forced precedent the consequences of Turkey's submission paralleled the interests of the powers and especially of Great Britain. As for the League of Nations the case was destined to be much of a precedent because of the assurance of adequate sanction for its decision. Viewed from the standpoints of Turkish and Kurdish nationalities, and their inter-relationships, one must say that no adequate solution has yet been reached. Western nationalism, under its wonted policies, may, with no sense of obligation, leave this awkward situation to the Turks and Anatolian Kurds, but the League, it would seem, cannot thus acquit itself of its task, operating as it does under the ægis of the sacred trust of civilization, without in some measure feeling that its obligations have not been fully met.

As for Iraq, the proviso under which her National Assembly accepted the Anglo-Iraqi treaty, June 10, 1924, had been complied with and she had thus, by indispensable British aid, taken another important step on the highroad to self-sufficient statehood.

## Chapter Nine

# THE IRAQI FRAME OF GOVERNMENT AND TREATY RELATIONSHIPS

### *Background of Development*

WHEN BAGDAD WAS TAKEN (March, 1917) the emphasis shifted from military occupation to civil administration. The British recognized from the first the necessity of convincing the Iraqis that what had happened to them was not a mere exchange of one master for another. Concrete evidences of improved conditions were made the more desirable by the ever present penchant of Bagdad politicians for a government of their own.

As early as April, 1920, a small committee of political officers drew up a scheme for a "provisional constitution, including both a council of state, composed of British and Arab members with an Arab president appointed by the high commissioner, and a legislative assembly chosen by election. Within a period limited to two years, the legislative assembly was to draw up an organic law for the permanent settlement of the country."<sup>1</sup> But the British government thought such a move unjustifiable so long as the terms of the mandate were undetermined.

Then a self-chosen native committee of fifteen "delegates" of Bagdad and Kadhimain was formed to resist the mandate and asked permission to lay their views before the acting civil commissioner, Colonel A. T. Wilson. On June 2, this privilege was granted and twenty-five other notables of Bagdad were invited to be present. At this time Wilson explained that the delay in setting up a permanent civil establishment had been caused by conditions beyond British control and warned the "delegates" not to precipitate a revolt.

On June 20 announcement was made to the "delegates" that the British government planned for the return of Sir Percy Cox to Bagdad during the following autumn at which time he would "resume his

1. *Review of the Civil Administration of Mesopotamia*, p. 141.

position on the termination of the existing military administration as chief British representative in Mesopotamia"; that he would "be authorized to call into being, as provisional bodies, a council of state under an Arab president, and a general elective assembly representative of and freely elected by the population of Mesopotamia. It would be his duty to prepare, in consultation with the general assembly, the permanent organic law"; however, the proposed scheme should be "under the guarantee of the League of Nations and subject to the mandate under Great Britain"; but it was anticipated "that the mandate will constitute Mesopotamia an independent state."<sup>2</sup>

The "delegates" again renewed their demands for immediate action looking towards complete independence. But the revolution was already on and lasted through the summer and early fall. We have already outlined in Chapter IV its main features, as well as those of the evolving civil régime.

We shall see that the permanent government which followed represents a continuity of British policy already foreshadowed in the provisional government. It is now necessary to analyze and evaluate briefly Iraq's present government and its relationships to the mandatory power.

King Feisal had been installed, August 23, 1921, under the provisional government. His selection had the previous approval of the British government and of the provisional Council of State of Iraq, the latter group conditioning their approval upon the provision that "His Highness' government shall be a constitutional, representative, and democratic government limited by law." That this constitutional monarchy might have the stamp of the "consent of the governed," a sort of popular referendum was carried out, resulting in a 96 per cent approval.

The Anglo-Iraqi treaty, signed October 10, 1922, and which, in lieu of the formal mandate, was to determine the relations between the two governments, contained the following: "His Majesty the King of Iraq agrees to frame an organic law for presentation to the Constituent Assembly of Iraq and to give effect to the said law."<sup>3</sup>

The Council of the League did not assume responsibility for any of the arrangements between Great Britain and Iraq, except for their

2. This announcement was issued with the approval of Sir Percy Cox, who happened to be at Bagdad at the time on his way from Teheran to London (*Review of Civil Administration of Mesopotamia*, p. 143).

3. Treaty, Art. III, cmd. 1757; or *League of Nations Treaty Series*, XXV, 15. A similar provision was in the final draft mandate, cmd. 1500, 1921.



final approval. The assignment of the mandate, its formulation, the negotiation of the treaty to be substituted for the latter, and the determination of a government for Iraq were all left to the Supreme Council or to British supervision. Even the organic law which "His Majesty the King of 'Iraq" agreed to frame was, in fact, "drawn up by British advisers in the ministry of justice" of the Iraq provisional government.<sup>4</sup>

The so-called Constituent Assembly convened March 27, 1924, and, during the subsequent months, did the three duties assigned it; namely,

1. Accepted the Anglo-Iraqi treaty, June 10, by a vote of thirty-seven to twenty-four, eight not voting;
2. Adopted the constitution, July 10, unanimously;
3. Passed an electoral law for the Chamber of Deputies<sup>5</sup> and adjourned.

### *The Constitution and the Anglo-Iraqi Treaty*

When we view Iraq from the standpoint of a mandated state we see a unique constitutional situation. As long as she is under the mandatory system we must think first of article 22 of the Covenant of the League of Nations as being at the base of her constitutional structure. That article is, of course, the constitutional substratum upon which rests immediately the whole new political creation of the mandatory system. Thereby was brought into the political world that relationship of superior to inferior groups in which superiority rests upon the "principle that the well-being and development of such peoples form a sacred trust of civilization." That portion of the article applying exclusively to the Turkish territories is as follows: "Certain communities formerly belonging to the Turkish Empire have reached a stage of development where their existence as independent nations can be provisionally recognized subject to the rendering of administrative advice and assistance by a mandatory until such time as they are able to stand alone. The wishes of these communities must be a principal consideration in the selection of the mandatory."

The second portion of Iraq's constitutional collection consisted of a series of documents. Here will be recalled the lengthy discussions in Iraq, in Great Britain, and in the Council of the League, in connection with the attempt to make a substitute for the original draft mandate.<sup>6</sup>

4. C. A. Hooper, *The Constitutional Law of Iraq*, p. 15.

5. For copy of this law see *ibid.*, Appendix No. 3.

6. See chap. vi.

These discussions resulted in negotiations which produced the Anglo-Iraqi treaty, the subsidiary agreements, and the protocol of April 30, 1923. Finally there was presented to the Council of the League a draft instrument which, presumably, contained the substance of the above. On September 27, 1924, the Council unanimously accepted this instrument. Following that date, the original treaty was, in accordance with its own provisions, and, as circumstances changed, several times modified. All of these were for the time to be reckoned a part of the Iraqi constitution. For Iraq was at best only provisionally independent, and the limitations on her independence were constitutionally defined in these documents.

There was some confusion as to just what relationship now actually existed between Great Britain and Iraq with respect to the League. In discussing the proposed treaty before the Council, Mr. Fisher, the British representative on the Council, said (1921), "It is not intended as a substitute for the mandate, which will remain the operating document defining the obligations undertaken by His Majesty's government on behalf of the League of Nations." However, Lord Parmoor, in presenting the arrangement which was finally adopted, said (September, 1924), "We no longer think it practicable to adopt a mandatory form, even to regulate our obligations towards the League. .... Iraq has advanced too far along the path laid down in article 22 of the Covenant for the particular form of control contemplated in that article to be any longer appropriate."<sup>7</sup>

But a comparison between the original draft mandate and the treaty does not reveal any fundamental difference. And the entire treaty relationship, including subsequent modifications, seems no less conformable to article 22, than does the original draft mandate. However, the change in nomenclature had the desired effect upon the public mind in both countries. To the Iraqis a mandate meant a continuation of military occupation, or at best an indefinite postponement of independence. To the Britisher it meant a continuation of heavy taxation, or at least a restriction upon the desired "free hand." Both parties having been thus psychologically relieved, there was to be in operation a real mandatory relationship, with no constitutional disguise.

The third, final, and presumably the most permanent of Iraq's constitutional documents is her organic law itself. It might remain with pertinent modification, when Iraq had entered the League and the other documents in this connection had lapsed. It is in this last docu-

7. Thirtieth Session of the Council, p. 1314.

ment that we shall find the fundamental design and framework of the Iraqi government and this we shall refer to as the constitution.

That the government should be monarchical was, in fact, predetermined by Iraqi tradition and by what has been called the British Hashimite policy of supporting a sherifian candidate for the Iraqi throne. But though monarchical, it must under the circumstances be a representative democracy.

The constitution makers drew freely from "the provisions of the Turkish, Persian, Australian and other constitutions."<sup>8</sup> All these are western sources. The Turkish constitution, whose forms and methods of legislation find prominent place in that of Iraq was itself modeled after the Belgian constitution.

Preference for Turkish forms and methods should be expected. The Iraqis had already shared in a brief constitutional period under Turkey (1908-14). The leaders of Iraq had secured their political education at Constantinople, or under Turkish administrative training elsewhere. And British colonial experience would advise the retention of much that was local and familiar. After approval of the document by the British colonial office it was presented to a special committee in Iraq who were allowed to suggest amendments.<sup>9</sup>

While it is fitting, in the absence of more cogent terminology, to call the assembly, which accepted the treaty and constitution and passed the electoral law, the "Constituent Assembly," it had nothing to do with the constitution but to discuss it for almost a month and then to accept it unanimously with no important change. This body did more to justify its title when it accepted the treaty only on condition that Great Britain defend Iraq's rights to Mosul in its entirety.<sup>10</sup> But here again, as in the case of the substitute for a mandate, correct terminology suffered in the interest of psychology. There are other illustrations of the same sort of expedient deviation from the rigid facts.

Article 2 of the constitution says, "Iraq is a sovereign state, independent and free."<sup>11</sup> And yet Article I of the treaty says, "His Britannic Majesty shall be represented in Iraq by a high commissioner and a consul-general assisted by necessary staff." And Iraq is to have "such advice and assistance as may be required during the period of the

8. Hooper, *op. cit.*, p. 15.

9. *Ibid.*, pp. 15-6.

10. See above, pp. 122-3.

11. The text of the constitution used in this account is that published by the ministry of justice (government of Iraq) in *Compilation of Laws and Regulations Issued between January 1, 1924, and December 31, 1925*, Part II, pp. 14-27.

present treaty." There is little question as to who shall be the supreme judge as to when and what "advice and assistance .... may be required." Nevertheless this same article brings constitution and treaty into acceptable accord by the provision that all this shall be done "without prejudice to her [Iraq's] national sovereignty."

Also, "no gazetted official of any other than 'Iraq nationality shall be appointed in 'Iraq without the concurrence" of Great Britain (Art. II of the treaty). It is specifically provided (Art. IV) that Iraq shall be "guided by the advice" of Great Britain "tendered through the High Commissioner on all important matters affecting the international and financial obligations and interests" of Great Britain for the period of the treaty. Likewise, Iraq is to consult the same source as to a "sound financial and fiscal policy" with respect to "the finances of the 'Iraq government" itself. And "no territory in 'Iraq shall be ceded or leased or in any way placed under the control of any foreign power," except as may be necessary "for the accommodation of foreign representatives and for the fulfillment of provisions" regarding military aid to be furnished by Great Britain (Art. VIII). Iraq is to "accept and give effect to such reasonable provisions as His Britannic Majesty may consider necessary in judicial matters to safeguard the interests of foreigners in consequence of the non-application of the immunities and privileges enjoyed by them under capitulation or usage" (Art. IX).

These definite limitations to Iraqi sovereignty are, as stated above, not essentially different from those in the mandate,<sup>12</sup> to which Iraq was irreconcilable. And in spite of these limitations according to her constitution (art. 2), "Iraq is a sovereign state, independent and free."

Though Anglo-Iraqi relations entail limitations upon Iraq sovereignty it is, necessarily, through such limitations that the mandatory system is set up. And it should be noted here that in case any differences arise as to the interpretation of these treaty provisions they shall be referred to the Permanent Court of International Justice (Art. XVII).

The Anglo-Iraqi treaty makes direct mention of the League of Nations about a dozen times. There was no lack of evidence here that the mandatory relation was the one thereby set up. It was provided that all the agreements subsidiary to the treaty, subsequent modifications of the treaty itself, and all Iraqi legislation pertaining to the special agreements should be communicated to the League. Iraq was committed to a program of coöperation "insofar as social, religious, and other conditions may permit, in the execution of any common policy

12. For original draft mandate see cmd. 1175, and for final draft see cmd. 1500, 1921.

adopted by the League of Nations for preventing and combating disease, including diseases of plants and animals" (Art. XIII). There was to be enacted and communicated to the League a law of antiquities to "insure equality of treatment in the matter of archæological research to the nationals of all states members of the League of Nations, and of any state to which His Britannic Majesty has agreed by treaty that the same rights should be insured as it would enjoy if it were a member of the said League" (Art. XIV).

The termination of the treaty, at the end of the twenty-year period for which it was made, "shall be subject to confirmation by the League of Nations unless before that date Article VI of this treaty (by which Great Britain agrees 'to use her good offices to secure the admission of Iraq to membership of the League as soon as possible') has come into effect . . ." (Art. XVIII).

The Iraqi constitution, on the other hand, makes no direct reference to the League. There are passages, however, which refer to "treaties" and "agreements," for example, article 106, connected with the Anglo-Iraqi treaty and which lapse with that treaty.

The treaty carries an obligation looking to the establishment of the constitution. This same article (III) requires that the constitution "shall contain nothing contrary to the provisions of the present treaty and shall take account of the rights, wishes and interests of all the populations inhabiting 'Iraq," and that it "shall insure to all complete freedom of conscience and the free exercise of all forms of worship, subject only to the maintenance of public order and morals. It shall provide that no discrimination of any kind shall be made between the inhabitants of 'Iraq on the ground of race, religion or language, and shall secure that the right of each community to maintain its own schools for the education of its own members in its own language, while conforming to such educational requirements of a general nature as the government of 'Iraq may impose, shall not be denied or impaired. It shall prescribe the constitutional procedure, whether legislative or executive, by which decisions will be taken on all matters of importance, including those involving questions of fiscal, financial and military policy."

The first and the last portions of this passage refer definitely to the mandatory arrangement. The remainder of it has been elaborated into a specific and typically western bill of rights and made "Part I" of the constitution (arts. 5-18). It is unnecessary here to enumerate any of these specific provisions save that "Islam is the official religion of the state," with "freedom to practise the rites of the different sects of that

religion, as observed in 'Iraq" and with "complete freedom of conscience" and practice in the "various forms of worship" where consonant with order and public morality (art. 13); and that Arabic shall be the official language, except as may be provided by special law (art. 17).

Despite the fact that "Iraq is a sovereign state," her constitution is notable in its meager references to foreign affairs. The following cover all such references, direct and indirect: (1) "The King shall not accede to a throne outside Iraq except after the approval of Parliament" (art. 24). (2) "The king concludes treaties," though ratification shall depend upon approval by Parliament (art. 26, 4), such approval being required in cases of peace treaties as in others. (3) All diplomatic representatives are appointed and removed by the king on recommendation of the responsible minister (art. 26, 7). (4) War is declared by the king with approval of the cabinet (art. 26, 8). (5) The entire British régime previous to the constitution's coming into force is legalized. Any portion of that régime remaining unrepealed at that date was to remain in force until changed or repealed by Parliament, or until the High Court rendered them null and void. A two-thirds vote was required for the latter.

We have already seen that Iraq had, by the treaty, agreed to be guided by the High Commissioner "on all important matters affecting the international and financial obligations and interests" of Great Britain (Art. IV). While by the constitution the king may, under certain conditions, appoint diplomatic representatives, the treaty says (Art. V), the "king of Iraq shall have the right of representation in London and in such other capitals and places as may be agreed upon by the high contracting parties." In places where she is not represented she is to intrust the protection of her nationals to Great Britain. And the king of Iraq shall issue exequaturs to representatives of foreign powers in his country only after Great Britain has agreed to their appointment.

As to Great Britain's contribution to Iraq's armed forces, that is a matter for special agreement. The protection of foreigners and their interests are provided for in the following: "There shall be no discrimination in Iraq against the nationals of any state, member of the League of Nations, or of any state to which His Britannic Majesty has agreed by treaty that the same rights should be insured as it would enjoy if it were a member of the said League (including companies incorporated under the laws of such state), as compared with British nationals or those of any foreign state in matters concerning taxation,

commerce or navigation, the exercise of industries or professions, or in the treatment of merchant vessels or civil aircraft. Nor shall there be any discrimination in Iraq against goods originating in or destined for any of the said states. There shall be freedom of transit under equitable conditions across 'Iraq territory' (Art. XI).

No measures shall be taken in Iraq against missionary enterprises, nor shall there be any discrimination against missionaries because of religion or nationality, provided such enterprises are not prejudicial to public order and good government (Art. XII).

Iraq is permitted, insofar as is consistent with British international obligations, to associate herself with neighboring Arab states for "customs or other purposes" (Art. XVI).

The treaty makers, in providing for Iraq's possible association with neighboring Arab states for "customs or other purposes," had in mind the same ultimate Arab objectives as had the constitution makers in providing for the possibility of Iraq's king sitting on "a throne outside of Iraq." Eventualities of this kind would be quite in harmony with both the early British commitments and the expressed aspirations of Arab leaders.

To the student of political science there at once rises the question as to the status of sovereignty in such a relationship as here set up. There is much confusion of opinion on this widely mooted question. In fact the whole idea of sovereignty is, by recent international developments, thrown into solution. The political mores of the past have insisted upon a rigid interpretation of sovereignty, and in practice it seems that it must, with some elasticity, have been so. But in the future the practical affairs of the evolving international order must have a workable answer to the question.<sup>13</sup>

In governmental structure and function Iraq has a typical parliamentary government. Many of its features have already been indicated.

### *The King*

"The sovereignty . . . belongs to the people and it is a trust confided by the people to King Faisal ibin Hussain and to his heirs after him" (art. 19). Upon accession to the throne the king takes the following oath: "I swear by God that I will defend the constitution and the

13. On the question of sovereignty in the mandated territories see A. M. Margolikh, *The International Mandates*, chaps. viii-x; Campbell Lee, "Mandates: How They Are Working," in *Transactions of the Grotius Society*, Vol. XII; Quincy Wright, "Sovereignty of Mandates," *American Journal of International Law*, October, 1923; *idem*, "Status of the Inhabitants of Mandatory Territory," *ibid.*, April, 1924; also *idem*, *Mandates Under the League of Nations*, pp. 274 ff.

independence of the country and that I will serve the country and the nation."<sup>14</sup>

The leading powers of the king are specified by law as follows: He is "the supreme head of the state." He confirms laws, orders their promulgation and supervises their execution. He issues orders for the holding of general elections to the Chamber of Deputies and for the convocation of Parliament. He opens Parliament, adjourns, prorogues, or dissolves it, in accordance with the provisions of this law. When Parliament is not sitting, and necessity arises, he may for the maintenance of order and public security, or to ward off a public danger, or for the urgent expenditure of public monies not authorized by the budget or by special law, or for the fulfillment of treaty obligations, issue ordinances, with the concurrence of the Cabinet, having the force of law, directing that the necessary steps shall be taken according to circumstances, provided that they are not contrary to the provisions of the constitution. Such ordinances must all be laid before Parliament at its first session thereafter with the exception of those having to do with treaty obligations "approved by Parliament or the Constituent Assembly." Any not approved must be declared no longer operative, and are thus abrogated from date of such declaration. All ministers must sign these ordinances. The king selects the prime minister, and, upon the latter's recommendation, appoints other ministers. He also accepts their resignations. He appoints the senators and accepts their resignations. There shall be no execution of a death sentence without the king's consent. He may reduce sentences and grant pardons and pronounce a general amnesty, the latter with the consent of both houses of Parliament (art. 26). To this list of royal powers should be added those previously named as connected with Iraq's foreign affairs. The king's powers are exercised by means of the Royal *irada* (Arabic for "will").

### *The Parliament*

The legislative power is shared by the Parliament and the king. There is a senate and a chamber of deputies. The king opens Parliament in person with an address or deposes the prime minister, or some other minister, to do so and deliver the speech from the throne. Only Iraq nationals may be members of Parliament. In the Chamber they must not be less than thirty years of age, and in the Senate, not less than forty. There are the other usual privileges, restrictions, and precautions as to membership. Senators are appointed by the king "from among persons whose conduct has secured the confidence and esteem

14. Hooper, *op. cit.*, p. 65.



of the public and those who have served the state and nation with distinction" (art. 31). They serve for eight years, half retiring every four years, and are eligible for reappointment. The number in 1928 was the constitutional limit, twenty, and included Jews and Christians.

The deputies are elected on the basis of one deputy for twenty thousand male inhabitants. The number in 1928 was 87. Of these the Bagdad liwa had thirteen, including one Christian and two Jews; the Basra liwa had eight, including one Christian and one Jew; the Mosul liwa had twelve, including two Christians and one Jew.<sup>15</sup> Other deputies came from outlying liwas. "The electoral law for the Chamber of Deputies"<sup>16</sup> adopted October 22, 1924, provided for secret ballot and indirect election. "Primary electors" vote for "secondary electors" who, in turn, vote for deputies. These two classes of voters stand in the proportion of two hundred fifty "primary electors" to one "secondary elector."

The regular term of the deputies is for four ordinary sessions, one session each year, beginning on November 1, or, if that be a holiday, on the following day. In case of dissolution "fresh elections must be held and the new Chamber shall be convoked for an extraordinary session within a period not exceeding four months from the date of dissolution" (art. 40). The king may call extraordinary sessions of Parliament.

Deputies are eligible to reelection. A deputy may accept election from only one constituency, but he is regarded as being a representative of "the whole of Iraq and not his constituency" alone (art. 48).

Any deputy may propose legislation, *except as to financial matters*,<sup>17</sup> provided he be supported by ten of his colleagues. If his proposal be accepted by the chamber, it shall be sent to the Cabinet in order that a draft law may be prepared; but if rejected, it shall not again be introduced during the same session (art. 45).

A majority constitutes a quorum in each house. A majority vote is required for decisions, except in special cases, but such majority is not regarded as obtained unless half the members present cast their votes.

Any member of parliament may put questions and demand explanations. Meetings are public except where one minister, four senators, or ten deputies may request that a meeting be conducted *in camera*.

15. Art. 37 of the constitution requires that non-Islamic minorities be represented in the Chamber. And the electoral law requires the return of these eight, four Christians and four Jews, besides the regular quota from these liwas. See Hooper, *op. cit.*, pp. 86-8.

16. For this law see *ibid.*, Appendix No. 3; also *Compilation of Laws and Regulations Issued between January 1, 1924, and December 31, 1925*, pp. 45-51.

17. See below under "Council of Ministers," also under "Finance."

Draft laws, which are prepared by the government, must be submitted to one of the two chambers. If passed, they are presented to the other chamber. They become law only upon passage by both chambers and confirmation by the king (art. 62). The king has three months within which to confirm draft laws, except in urgent cases, when he has only fifteen days. Refusal to confirm requires explanation by His Majesty, but there is no provision for repassage following royal refusal to confirm.

The Senate cannot initiate legislation, though it sought to obtain this right in 1926.<sup>18</sup>

### *The Cabinet*

The number of ministers may not be less than six or more than nine (art. 64). There were in 1930 nine ministers as follows, each in charge of a ministry:

1. Ministry of Foreign Affairs (*under the Prime Minister*)
2. Ministry of the Interior
3. Ministry of Finance
4. Ministry of Justice
5. Ministry of Defense
6. Ministry of Communications and Works
7. Ministry of Auqaf
8. Ministry of Education
9. Ministry of Irrigation and Agriculture

Changes in these since the adoption of the Constitution include the addition of the ninth, in 1927, and the creation in 1931 of the Ministry of Economics and Communications instead of the sixth, the Ministry of Communications and Works.

Anyone appointed as minister, and not already a member of either chamber of Parliament, may not retain this appointment longer than six months, unless he secure appointment as a senator, or election as a deputy.<sup>19</sup>

The cabinet is responsible for the conduct of affairs of state (art. 65) and ministers are jointly responsible to the Chamber of Deputies for affairs dealt with by the various ministries, and responsible severally for acts relating to each of the ministries and departments attached thereto. Should the Chamber of Deputies pass a vote of no confidence in the cabinet by a majority of members present, the cabinet must re-

18. See Hooper, *op. cit.*, p. 95.

19. Hooper says this provision "does not apply apparently to the prime minister" (*op. cit.*, p. 108).

sign. If the resolution in question relates to one minister only, such minister must resign. This vote of no confidence may be postponed, however, on one occasion only, for not more than eight days, at the request of the prime minister or of the minister concerned. During such a period the Chamber is not dissolved (art. 66).

One of the most important responsibilities of the cabinet is its overseeing of government finance. But this subject deserves a special heading.<sup>20</sup>

### *The Judiciary*

The law in force in Iraq is of many sources and is complicated. It is mainly Turkish law still, though Iraqi parliamentary acts gradually are replacing it. The body of this law was in force when hostilities began, November 5, 1914,<sup>21</sup> but some additions were made later. With the military occupation came proclamations, regulations, and laws of Indian and British official sources. The validity of these was recognized by the new constitution and they were to remain in force until repealed, changed, or until made null and void by the High Court (art. 114).

Then there were the laws of the new king from his accession (August 23, 1921) to the promulgation of the Constitution (March 21, 1925).<sup>22</sup> After this date came the acts of the Iraq Parliament.<sup>23</sup> To all these must be added a large measure of tribal laws and laws of religious sects. This confusion of law is further complicated by the fundamental conflicts between oriental and occidental legal concepts, made strikingly evident by the present attempt to fit them into a common system.<sup>24</sup>

20. See below, under "Government Finance."

21. Art. 113 of constitution.

22. See Hooper, *op. cit.*, pp. 112 ff.

23. See *Report on Administration, 1923-24*, for statement on courts and law in Iraq.

24. Quincy Wright, "The Government of Iraq," *American Political Science Review*, XX, 764.

The High Commissioner complained of another difficulty in the administration of justice before the constitution went into effect. Referring to this period he says, "The government has passed from a civil administration, regularly established in accordance with international law by an army occupying enemy territory, to the paradoxical position of a constitutional monarchy, of which the constitution has not yet been formulated, depending for its sanction and recognition on a treaty that has never been confirmed and a mandate that has never been ratified. The practical administrator need care for none of these things, but they press hard on his legal advisers who are responsible for the administration of justice, the jurisdiction of the courts, the government's legal relations, internal and external, and the exercise of its legislative powers" (*Report, 1920-22*, p. 70).

These difficulties are still more enhanced by the ignorance and corruptibility of Iraq judges.<sup>25</sup>

The judges are appointed by royal irada<sup>26</sup> and are removable constitutionally, only under a special parliamentary act, pending the enactment of which Turkish law on removal prevails.<sup>27</sup>

There are three classes of Iraqi courts: (1) civil courts, (2) religious courts, (3) special courts (art. 69).<sup>28</sup>

1. The civil courts try cases involving all civil, commercial, and criminal matters, and all actions brought for or against the government, except where any of these may be tried by religious courts or by special courts (arts. 69-73-74).

2. The religious courts include (a) *shara'* courts and (b) spiritual councils of the communities.

The *shara'* courts deal with personal status of Moslems and with "actions relating to the administration of *Waqf* foundations" (art. 76). There are various divisions of *shara'* law, according to the different sects. The chief sects in Iraq are the Sunni (orthodox) and Shiah (dissident). These courts are presided over by a *qadhi* who must "be a member of the sect to which the majority of the inhabitants of the place to which he is appointed, belong" (art. 77). He is supposed to render decisions in harmony with the leading legal lights of his particular schol. Before the British occupation the *shara'* courts were exclusively Sunni.<sup>29</sup>

The *waqf* (the plural is *auqaf*) foundations administered by these courts refer to pious endowments, usually land. They have come to involve vast sums of money. As noted above, there is a Ministry of Auqaf.

The spiritual councils include Jewish spiritual councils and Christian spiritual councils. These have been taken over by the spiritual leaders of the respective non-Moslem sects who apply their own laws and customs to matters "relating to marriage, dowry, divorce, separation, alimony, attestation of wills other than those attested by a notary re-

25. It will be recalled in this connection that the Anglo-Iraqi treaty provides for Iraq's acceptance of British advice "in judicial matters to safeguard the interests of foreigners" (Art. IX).

26. See statements by Sir Henry Dobbs before the Permanent Mandates Commission on English sanction of these appointments (Tenth Session of Permanent Mandates Commission, November 9, 1926, p. 73).

27. Hooper, *op. cit.*, p. 124; see also *Report on Administration of Iraq, 1923-24*, pp. 146-7.

28. See chap. xi, under "Courts and Justice."

29. *Report*, p. 146.

public" with the exception of such cases as are under the jurisdiction of civil courts. These courts are not open to foreigners (art. 79).

3. Special courts are set up as occasion requires. They include:

- a. "Special courts, or committees" for dealing with certain cases involving military offenses, the application of tribal law, disputes between the government and its servants concerning duties of the latter, and disputes over the possession and boundaries of lands (art. 88).
- b. The "High Court" which tries ministers, members of Parliament (involving political offenses respecting their duties), certain judges, and decides questions "connected with the interpretation of laws, and their conformity with the Constitution" (art. 81).
- c. "A special court" (*diwan khas*) which is to render opinions on points of law when particular ministers require them, especially in connection with administrative matters (arts. 84 and 121).

Not all of the special laws required for putting these courts into practical operation were passed immediately. In the absence of such laws Ottoman laws are drawn upon, except where necessity has not arisen for even the creation of the courts, as is true of certain of the special courts.

### *Finance*<sup>80</sup>

We have seen that the Anglo-Iraqi treaty provided for British control of Iraq's finance both externally and internally for the period of the treaty. Article 105 of the constitution says, "No draft law may be introduced, nor any proposal put forward in either chamber, involving the expenditure of any portion of the public revenues, except by a minister." And the king, who must confirm all parliamentary acts, "will," says the treaty, "fully consult the High Commissioner on what is conducive to a sound financial and fiscal policy and will insure the stability and good organization of the finances of the Iraq government so long as that government is under financial obligations to the government of His Britannic Majesty" (Art. IV). Thus under the mandatory system Iraq finance is completely under British control insofar as that power chooses to exercise it.

So far as concerns all taxes and excise dues the *status quo*, at the time of the adoption of the constitution (March 21, 1925) was to remain in force until altered by law. No taxes were to be imposed except by law, provided this does not apply to sums received by the

30. Iraqi finance is dealt with constitutionally, in the main, in Art. IV of the treaty, and in arts. 45, 90-108, 112, and 122 of the constitution.

government for its services, or the enjoyment of government property. The principle of equality of taxation is established and there are no exemptions therefrom except by law (arts. 9-92).

Foreign, as well as native, exploiters are provided for in the grant of private "monopoly and concession," though these must be granted by law, and where grants extend beyond three years, special laws are necessary (art. 94). Such privileges extend to the "natural resources of the land" and to "public services," i.e., to mining, oil production, irrigation, electric lighting and power, and transportation.<sup>31</sup>

No government loan may be contracted, nor anything done involving the expenditure of public money, except by special law (unless provided for in the budget law). This does not prevent the king from issuing ordinances in cases of emergency as above referred to. The purpose here is doubtless to put Parliament into complete control of public finance. This, however, can be at best only a negative control since the ministers formulate the laws on finance.

A budget system is set up by requiring an annual "budget law" which "must contain an estimate of the income and expenditure for the year in question" (art. 98). The budget "must" be approved by Parliament during the session preceding the commencement of the financial year to which the law relates (arts. 98-99).<sup>32</sup>

There is, however, as Hooper points out,<sup>33</sup> an apparently irreconcilable subsequent provision (art. 107) which says, "Should the new financial year have begun before the promulgation of the budget law relative thereto, and should Parliament have assembled, the Minister of Finance shall submit a draft law containing provisional budget estimates for a period not exceeding two months."

The Constitution (art. 108) calls for a law establishing an Iraq currency system which has been worked out and adopted. The Indian system, with the rupee as the unit, had been in use since the beginning of British occupation.

We have now seen the main points of relation between the treaty of October 10, 1922, and the Constitution. We have also analyzed the essentials of the Constitution itself. Now it is necessary to take a brief survey of the subsidiary agreements and the subsequent modifications affecting the original treaty.

31. See Hooper, *op. cit.*, pp. 152-3.

32. The financial year is from April 1 to March 31.

33. Hooper, *op. cit.*, pp. 158-9.

## *Subsidiary Agreements*

It is in the subsidiary agreements that we get the intimacy of contact between mandatory power and ward. There were four of these agreements:<sup>34</sup> (a) British officials agreement; (b) military agreement; (c) judicial agreement; (d) financial agreement. They were made, respectively, under Articles II, VII, IX, and XV, of the original treaty, and all were signed at Bagdad, March 25, 1924. We shall treat these briefly.

(a) Article II of the treaty prevented the appointment in Iraq of any "gazetted official of other than 'Iraq nationality . . . without the concurrence of His Britannic Majesty." This special agreement enumerates four elaborate schedules of British officials who "shall be in the service of the 'Iraq government and responsible to that government and not to the High Commissioner" (Art. VI).

"The Iraq government agrees to appoint a British official approved by the High Commissioner as and when it may be requested to do so to any of the following posts: Advisers to ministries of interior, finance, justice, defense, and communication and works; directors or inspectors general of irrigation, public works, agriculture, *tapu*, surveys and veterinary services; director or assistant director of audit, inspectors general of police, posts and telegraphs, health, education, customs, and excise; president of court of appeal" (Art. VI). These officials, including numerous "senior" and "junior" inspectors, and various assistants, are to be employed under contract and at the pay specified for their respective grades.

Officers are employed for five, ten, or fifteen years. The terms of employment<sup>35</sup> do not seem particularly attractive, though passage from England to Iraq and return, passage for wives of officials (especially if previously married), leave on pay, and sick leave, are worthwhile accessories for the lusty sons of Albion who seek experience and adventure abroad.

These officials are under the supervision of a disciplinary board composed of the prime minister (president), a representative of the high commissioner, and three ministers and three senior British officials nominated by the king. Findings of the board shall be subject to the approval of the king. "Before such approval is given, . . . the high commissioner shall be given an opportunity of expressing his opinion on such findings."

34. For the texts of these agreements see *League of Nations Treaty Series*, XXXV, 35-151.

35. Pay ranged from Rs. 2,500—100—3,500 to Rs. 800—75—1,300. The "fixed conversion rate" in London was Rs. 15 to 1. The rupee is about 1s. 6d

(b) By Article VII of the treaty Great Britain undertook "to provide such support and assistance to the armed forces of .... the king of 'Iraq as may from time to time be agreed by the high contracting parties."

By this agreement also the two governments recognize the principle that Iraq "shall at the earliest possible date, provided it shall not be later than four years from the date .... of this agreement (March, 1925), accept full responsibility for the maintenance of internal order and for the defense of 'Iraq from external aggression." It is therefore agreed that the present support and assistance by Great Britain "shall be progressively reduced with all possible expedition" (Art. I).

The form in which this "support and assistance" is to be provided shall be the presence in Iraq either of an imperial garrison or of local forces maintained by the British government and of the granting of facilities in the following matters:

- "1. Military and aeronautical instruction of 'Iraq officers in the United Kingdom so far as this may be possible.
- "2. The provision in sufficient quantities of arms, ammunition, equipment, and aeroplanes of the latest available pattern for the Iraq army.
- "3. The provision of British officials whenever they may be required by the 'Iraq government within the period of the treaty."

It shall in no case take the form of a contribution by Great Britain to the cost of Iraq's military forces, nor shall Iraq make any contribution "to the cost of the imperial garrison of forces maintained and controlled" by Great Britain (Art. II).

Iraq agrees "to devote not less than 25 per cent of the annual revenue" of the state to the maintenance of the regular army and other local forces controlled by her, and insofar as her financial capacity permits, "progressively to increase the strength of their permanent regular army" according to a prescribed schedule and also to form a reserve army (Art. IV). The officer in command of British forces in Iraq shall inspect Iraq forces as he may think necessary for testing their efficiency and recommend to the king of Iraq steps for their improvement. The wishes of the high commissioner "regarding the movements and disposition of the 'Iraq army" are to have "full consideration." The Iraqi army is to be employed only in the interests of Iraq, and both governments agree that no movements of forces for maintaining internal order, or for external defense, shall be taken "without previous consultation and agreement." If any internal disturbance or external aggression has been provoked by any action or policy



of Iraq she shall not be entitled to British assistance in such cases (Art. VIII). In any case of combined military undertaking the unified command shall be under the British (Art. IX).

This agreement placed Iraq completely under the military control of Great Britain for the treaty period though a direct Iraqi control was to be progressively substituted for the British.

(c) Iraq agrees (Art. IX) "to give effect to such reasonable provisions" as Great Britain "may consider necessary in judicial matters to safeguard the interests of foreigners in consequence of the non-application of the immunities and privileges enjoyed by them under capitulation and usage."

In this special judicial agreement the term "foreigners" refers to "the nationals of any European or American state which formerly benefited by capitulations in Turkey and did not renounce the same by an agreement before July 24, 1923, and of any Asiatic state which is now permanently represented on the Council of the League of Nations, and includes corporations constituted under the laws of such states and religious or charitable bodies or institutions wholly or mainly composed of nationals of such states." These privileges may be extended to nationals and persons enjoying the protection of any state by a special convention made with Iraq in agreement with Great Britain (Art. I).<sup>36</sup>

By this agreement Iraq undertakes to employ British legal experts in the courts and to grant them judicial powers under the laws of Iraq and that the procedure now observed in the courts in regard to the investigation of offenses and the trial of cases and other matters in which foreigners are concerned shall continue and be put into force by law. In the detailed application of this provision British judges figured prominently (Art. II). Every law of Iraq "affecting the jurisdiction, constitution or procedure of courts or the appointment and discharge of judges shall before being presented to the legislature, be submitted in draft to the high commissioner for his views and advice on such of its provisions as concern the interests of foreigners" (Art. III). Where it is customary by international usage to apply the law of another country to the personal status of foreigners or to matters of a civil or commercial nature, such a law shall be applied in a manner to be prescribed by law (Art. IV). The king of Iraq agreed to submit to the high commissioner for his concurrence the appointment, and the termination of such appointment, of all British officials serving in connection with Iraqi courts.

36. See chap. xi, for new agreement in this connection.

(d) The Anglo-Iraqi treaty provided for the following respecting the financial relations of the two countries:

- “1. The transfer by Great Britain to Iraq of “such works of public utility as may be agreed upon.”
2. “Such financial assistance as may from time to time be considered necessary.”
3. “The progressive liquidation by the government of Iraq of all liabilities thus incurred.”
4. Obligation on the part of the king of Iraq to “fully consult the high commissioner on what is conducive to a sound financial and fiscal policy . . . so long as that government is under financial obligations” to Great Britain.
5. A special agreement including the above (Arts. IV and XV).

The two governments, by this special agreement, recognized the principle that the entire cost of the civil administration of Iraq should be borne by Iraqi revenues, and that Iraq should at the earliest possible date accept full financial responsibility for the maintenance of internal order and defense against external aggression. For the time British financial aid was to take the form of maintaining an imperial garrison or local forces under British control. Such assistance was to be progressively reduced as Great Britain determined and in any case was to terminate within a period not exceeding four years from the date of the ratification of peace with Turkey (August 6, 1924). Iraq was to devote not less than 25 per cent of her revenues<sup>87</sup> towards the cost of defense and security (Arts. I-IV).

The following works of public utility at the valuation shown were to be transferred to Iraq (Art. V):

	<i>Rs.</i>
Irrigation	62,12,040
Roads	3,20,000
Bridges	11,17,500
Posts, Telegraphs, and Telephones	17,60,000
	<hr/>
TOTAL	94,09,540

This “capital sum, with interest at 5 per cent per annum” was to be paid Great Britain “within twenty years from the conclusion of this agreement.” The annuity payments in this connection “shall be a first

37. “Revenues” here refers to “gross receipts in all cases under each head of revenue service with the exception of commercial services, other than Posts, Telegraphs, and Telephones” where net revenues are counted.

charge on the general revenues of 'Iraq and no prior charge shall be set up without the consent of Great Britain" (Art. VII).

The Iraq railway system is transferred to Iraq as of April 1, 1923, to be managed and administered by her for a period not exceeding four years from the ratification of the Anglo-Iraqi treaty (October 10, 1922) though the railways remained the property of Great Britain. During this period the latter agreed not to sell the railways to any private purchaser without the concurrence of Iraq which "shall not be unreasonably withheld" and Iraq could not, within the same period, lease the railways to any private lessee without the concurrence of Great Britain (nothing is said as to her unreasonable withholding of concurrence). In case Iraq wishes to acquire the railways within this period, the transfer was to be made "upon terms to be mutually agreed" upon. In default of such agreement, terms would be left to arbitration. If, upon expiry of said period, the transfer of ownership was not made, it would forthwith be made by mutual agreement or by arbitration (Art. VIII).

None of these works might be disposed of by sale, or otherwise, by Iraq, without consent of Great Britain, until "repayment of the value of all the said works has been completed" (Art. IX).

The port of Basra is to be transferred to a port trust to be set up by the "authority of the Iraq government, and subject to the approval" of Great Britain. Receipts and expenditures thereof were excluded from Iraqi general accounts. The "valuation of 72,19,000<sup>38</sup> rupees shall be treated as a debt of the port trust" to Great Britain. It was to bear 5 per cent. The terms and conditions on which the trust operates were to be dealt with by "separate arrangement" (Art. X).

Notwithstanding the termination of the treaty, Iraq agrees that all the above sums shall remain financial obligations against her until fully paid and that they shall continue a prior charge on the general revenues of the state unless Great Britain should agree that it should be otherwise (Art. XII).

The ordinary expenses of civil government, including the salaries and expenses of the High Commissioner and his staff, were to be borne entirely by the government of Iraq. The British government was to ask Parliament to make a contribution equal to half the expenditure approved by the Secretary of State for salaries and other expenses of the High Commissioner and his staff. Quarters for the latter were to be provided subject to the payment of reasonable rent by the officers concerned (Art. XIII).

38. The bill was later cut to Rs. 72,11,600 says *Report*, 1923-24, p. 130.

Iraq recognized her liability to meet as they fell due all sums or charges in respect of the Ottoman public debt which might be assigned to her under the treaty of peace with Turkey (Art. XVII).

The British government agreed to contribute to the cost of upkeep and maintenance of roads and bridges used for traffic by its forces.

### *Completion of the Mandatory Arrangement*

The four agreements subsidiary to the main Anglo-Iraqi treaty, taken with the protocol to the latter, completed the original treaty of alliance between the two countries. The legality of the entire arrangement had waited upon the requirement, by international law, that Turkey should consent to the loss of the Iraqi territories.

The new Turkish Republic had, as we have seen, indicated in the national pact its reconciliation to the loss of former Turkish territories occupied by Arab majorities. The Treaty of Lausanne, ratified August 6, 1924, established the required legality.

After many long and tedious delays, the subsidiary agreements were signed (March 25, 1924) and Great Britain was ready to take the matter to the League of Nations. On September 27, 1924, she presented to the Council her credentials thus documented and resting upon article 33 (paragraph 4) of the Covenant. She was willing to assume "towards all members of the League of Nations who accept the provisions of this arrangement and the benefits of the said treaty, responsibility for the fulfillment by Iraq of the provisions of the said treaty of alliance." She further promised to report annually to the Council, and to its satisfaction, to state what steps have been taken during the year to carry out the terms of the treaty. Copies of all laws and regulations promulgated in Iraq during the year were to be attached to the report. No modifications of the treaty might be made without consent of the Council. If any dispute should arise between Great Britain and other members of the League as to whether any of these provisions are not being carried out, such dispute, failing of settlement by negotiation, was to be submitted to the Permanent Court of International Justice as per article 14 of the Covenant. In case of Iraq's admission to the League the treaty obligations ended; however, if the period of the treaty should end before admission to the League the Council should be invited to decide as to further measures respecting the execution of article 22. Under all these commitments Great Britain was accepted, September 27, 1924, by the Council as the full-fledged mandatory for Iraq.<sup>39</sup>

39. See League of Nations, *Decisions of the Council*, of September 27, 1924, and March 11, 1926, etc., pp. 8-9.

## *Treaty Modifications*

Though Iraq proper was now a provisionally independent state under the mandatory system, the fundamental Mosul question had to be settled and the results confirmed in a treaty by all parties concerned. But we have seen above (chap. viii) how, following the decision of the Council of the League (December 16, 1925) that Iraq should have Mosul, two treaties came into effect in 1926, committing all parties concerned, including Turkey, to the disposition of the Mosul question according to the recommendations of the Commission of Enquiry and the decision of the Council.

The former of these two treaties made a twenty-five-year extension of the original treaty of 1922, but starting from the date of December 16, 1925. There was added the new provision that Great Britain, at the date on which the old treaty would have expired (August 6, 1928), "and at subsequent successive intervals of four years until the expiry of the period of twenty-five years . . . , or until the admission of 'Iraq into the League of Nations, . . . will take into active consideration the following two questions": (1) As to whether it be possible for Great Britain to press for admission of Iraq to the League, and if not so possible; (2) as to "amendment, on account of the progress made by the kingdom of 'Iraq or for any other reason, of the agreements referred to in Article XVIII of the treaty of October 10, 1922."

These agreements were the subsidiary agreements to the original arrangement and were likewise extended by the new treaty.

The latter of these two treaties, usually referred to as the Treaty of Angora, left Iraqi territories under complete legal release from Turkish claims. The new Turkey thereby recognized the existence of "Iraq as an independent state" as well as the special relations resulting from the two treaties concluded between Iraq and Great Britain (1922 and 1926).

It was to be expected that these events would arouse in Iraqi statesmen, as well as politicians, a rapidly developing consciousness of Iraq's importance as a future independent state. The young nation was consequently greatly agitated, during the following months, over the question of a speedy admission into the League of Nations, since Great Britain was, by the treaty of 1926, pledged to the consideration of Iraq's developing fitness for such a proposal.

Eligibility for League membership, however, required capacity to fulfill international obligations and military strength to preserve order at home and repel attack from without.<sup>40</sup> Preparation to meet these

40. Art. I of Covenant.

requirements demanded, as many Iraqi leaders saw it, a system of conscription for the Iraqi army. Shiah leaders in particular, but also many other citizens, along with Great Britain, opposed conscription.

The demand for modification of the old financial agreement, urgently pressed during passage of the recent Anglo-Iraqi treaty through the Iraqi Parliament, continued throughout 1926. Great Britain yielded by proffers, *inter alia*, (1) to surrender her right to a payment of £677,302 from Iraq on account of public works (excluding the railroads) taken over from the government of occupation; and (2) to grant an annual subvention towards the cost of the Iraqi army (forbidden by the old agreement).

At the same time Iraqi agitation for League membership was growing. In July, 1927, Great Britain, after refusing Iraq's request that she recommend membership for 1928, informed Iraq of her intention to take up with the League in 1932 the matter of Iraq's admission, provided all went well in the meantime and Iraqi progress was maintained.<sup>41</sup> The ultimate objective of complete independence even reflected itself in discussions at Bagdad looking towards treaty relations between the two countries on a non-mandatory basis.

British determination to postpone League membership produced an Iraqi request for a revision of the Treaty of 1922 and its accompanying agreements. This resulted, during the autumn of 1927, in a visit of King Feisal and Prime Minister Jafar Pasha to London to negotiate a new treaty. The divergence of the negotiators is shown in the fact that the Prime Minister, in consequence of failure to agree, had started home, intending to resign in protest against what he regarded as unwarranted interference in Iraqi affairs by the High Commissioner, Sir Henry Dobbs. But at the farewell luncheon to Feisal the situation brightened and resulted in signing a new treaty, December 15, 1927.<sup>42</sup>

This instrument repeated the British offer of the preceding July and made certain other concessions, but it still remained a mandatory document. While the main treaty was agreed upon, the financial and military agreements proved insurmountable as negotiations continued through 1928.

At the beginning of 1929 the Iraqi cabinet, feeling incapable of meeting the demand of the nation, resigned. After three months the new cabinet abandoned the treaty, never popular in Iraq, with the

41. *Special Report by His Majesty's Government . . . to the Council of the League of Nations on the Progress of 'Iraq, 1920-31*, pp. 17-8. In future references this will be called *Special Report*.

42. Cmd. 2998, 1927.

understanding that "British support of 'Iraq's candidature for admission to the League in 1932 would not be withdrawn."<sup>43</sup>

The ably led Progressive party in control of the Iraqi government during 1928 was especially opposed to the conditional recommendation of Iraqi membership in the League. During the summer of 1929 Sir Gilbert Clayton, who agreed with his predecessor Sir Henry Dobbs, as High Commissioner, advised a reconsideration of the offensive condition. Then two events of the latter half of 1929 encouraged the Progressives. The new British election had brought to power the Labor party and that was followed by the pronouncement of a new Egyptian policy.<sup>44</sup> Liberal promises to Egypt respecting the League showed new possibilities for Iraq.

The result was that King Feisal was informed September 14, 1929, as follows:

"(a) That the British government were prepared to support Iraq's candidature for admission to the League of Nations in 1932.

"(b) That the British government would at the next session of the League of Nations inform the Council that they had decided not to proceed with the treaty of 1927.

"(c) That the British government would also at the same time inform the Council of the League of Nations that they proposed in 1932 to recommend 'Iraq to the League of Nations."<sup>45</sup>

The king was at the same time informed that the British government hoped to conclude with Iraq, before 1932, a treaty, based upon the recent proposals for an Anglo-Egyptian settlement, to regulate Anglo-Iraqi relations after the admission of Iraq into the League.<sup>46</sup>

43. *Special Report*, p. 19.

44. *Report*, 1929, p. 13.

45. *Ibid.*, p. 14.

46. *Ibid.*

## Chapter Ten

# BRITISH ADMINISTRATION BEFORE THE PROVISIONAL GOVERNMENT

### *Evolution of the Civil Order*

AN ADEQUATE SENSE of the more vital accord between British and Iraqis can come only through a review of civil administration. While the exigencies of war required, as British political officials more than once were advised, that "large and controversial administrative questions" should not be raised, yet political organization followed close upon the heels of military occupation. It is well to note, too, that the Britisher here went at his task from the first with a thoroughness that savored of possible permanency. It is during the years of military occupation, and those immediately following, i.e., from 1914 to 1920, that the ultimate form of the Iraqi government, as well as the general program of social reconstruction, was taking shape. In spite of the fact that British policy towards Iraq in general experienced fundamental changes during this period, and after, there was a remarkable continuity in the evolution of the new régime. The later superimposition of the mandatory system affected rather the purpose and results of administration than its forms. Though a king, and treaties, and an organic law are successively part and parcel of this state-making these made little immediate change in the rather uniformly unfolding governmental development. This is, actually, the normal British colonial procedure.

We have seen that Sir Percy Cox came along (1914) with the first Indian troops to start the work of peace organization. In January thereafter Henry Dobbs came from India to Basra and took up the task of revenue commissioner. Since the British colonial technique requires that reconstruction be built from the elements on the spot the administrator here "was confronted with the task of setting the whole of a strange and complicated system on its legs as quickly as possible without the aid of the most recent records or of the most experienced



officials, while the remaining records took many weeks to reduce to order."<sup>1</sup> At Bagdad this aspect of the situation was even worse. No revenue statements for taxes, no registers, no land records and no officials were to be found. At Mosul (taken after the armistice) records were found intact and officials on the job.

It was highly important that the normal life of the people should be restored quickly. Reconstruction and improvement in all the ways of civil life would win native support for the invader. The collection of revenues was indispensable to this end and it would be a mark of submission to the new control. Anything approaching a satisfactory ordering of these matters would, however, have to trail far behind the advancing army. The proximity of the enemy always supported the possibility of Turkish return, filled the native mind with the sense of uncertainty and insecurity, and made many "hesitate to compromise themselves by helping the authorities and reluctant to pay their taxes."<sup>2</sup>

Farther to the rear it was different. All but the lawless element sought the return of orderly existence. The administration of civil justice had been in abeyance. Payment of debts and rents had stopped save where personal honesty decreed otherwise. Merchants and traders, especially, were solicitous for the return of security and prosperity and lent their influence to that end.

Whatever was found intact of the Turkish system of revenue gathering and land holding was made the basis for temporary reconstruction. Assistant political officers were named for each succeeding district taken over and these were made responsible to the Chief Political Officer. In addition to their civil duties they had the task of working in close liaison with local military officers in the purchase of supplies, and in keeping open and safe the lines of communication.

While the adoption of the Turkish system was necessitated by the fact that remaining records were all in Turkish it is interesting to note that "the language of vernacular records and receipts, together with all other official business, was, however, changed to Arabic, a measure which satisfied local sentiment."<sup>3</sup> It was the British deliberate policy from the first, too, to keep the number of alien officials at the minimum. Former officials wherever found honest and otherwise competent, particularly those of Moslem faith, were extensively used.

It was a constant objective of the British to improve, not only the quality of personal official service, but also, to eliminate the general administrative confusion of the Turkish system. It was found, for

1. *Review of Civil Administration of Mesopotamia*, p. 5.

2. *Ibid.*

3. *Ibid.*, p. 6.

example, that "no less than five departments, apart from the general revenue, were independently collecting monies and remitting them to Constantinople."<sup>4</sup> This was, besides being cumbersome and expensive of administration, an unjustifiable annoyance of the people by government officials. Instead of a unity of governmental functions and co-operative sympathy there had prevailed a system of water-tight departments in which one official group had little or no concern with the special interests of another. These deficiencies were, of course, eliminated.

Turkish administration of pious bequests, under the Auqaf department, was notably delinquent. Mohammedan sacred law permits the owner of immovable property to dedicate it in perpetuity to any pious purpose, whether it be Islamic or not. It will be recalled that the Turks were Sunnis. These bequests, however, were both Sunni and Shiah. In the administration of the Auqaf department the Turkish officials seem to have aimed mainly at sending as large sums to Constantinople as possible. The department, it is said, "was administered by Sunnis almost exclusively for the benefit of Sunnis."<sup>5</sup> An outstanding unfairness came in the tax levied on the numerous Shiah burials at the holy cities of the latter sect, though the Shiah got less return from this source than did the Sunnis. The British at once saw to it that salaries of priests and the improvement and construction of mosques were allotted a larger share of these funds. It tended to offset the great Shiah opposition to British control. These funds were merged with the general revenue until the summer of 1918.

### *Education*

Interest in Iraqi education had been of primary concern to the British from the very first. Syrian superiority in culture seemed to supply special motivation to educational activities of both British and Iraqi officials. The new government was manned more and more by trained Arabs and "British administration should not be open to the accusation of neglecting to further education." Arabic was now, instead of Turkish, to be the medium of instruction, but there was apparently much demand for English as the first foreign language. Those who aspired to commercial careers, especially, demanded English.<sup>6</sup> The

4. *Ibid.*

5. *Ibid.*, p. 10.

6. Great Britain and France entered into a convention, December 23, 1920, by which they "allow the schools which French and English nationals possess and direct at the present moment in their respective mandatory areas to continue their work freely," but this does not apply to new schools thereafter set up (cmd. 1195, art. 9).

educational program got under way by 1915, one of the first steps being the sanctioning of a grant-in-aid to the American mission school at Basra, and then similar aid to other Christian schools at Basra on condition that they teach English. Two primary schools were opened in the fall of 1915 and others in the spring of 1916 in Basra, Abul Khasib, and Zubair. During 1917 and 1918 the emphasis on primary education resulted in establishing various other schools. A lack of efficient teachers was quickly recognized, and resulted in setting up a teacher-training school which opened with eighty-one pupils and with a faculty of three Syrians, one Bagdadi, and a fourth borrowed from the American school at Basra. Even technical education was begun in order to meet the urgent demand for men capable of making surveys and taking levels. A small fee was introduced in the Basra vilayet schools, but owing to destructive war conditions no fee was charged in the Bagdad vilayet until 1919.

### *Civil and Criminal Justice*

The more urgent matter of the administration of civil and criminal justice has already been touched upon. It is well to emphasize again that in spite of the 'Iraq occupied territories code,'<sup>7</sup> imported from India, there was a wide recognition, in this regard, of local custom. This code provided that any suit in which at least one party was a Moslem might be referred to the *Shar'ah* or sacred law. Such cases pertained mainly to domestic questions and were tried by religious leaders agreed upon by the parties concerned. Decisions in such cases were, of course, of no official importance. Serious criminal cases in the towns were tried by British military commissions or military governors, while in rural districts political officers performed the same function. But most of the criminal work did not come into the courts. The rural population had never, to any appreciable extent, used the Turkish courts.

Reference has already been made to the fact that the British permitted a continuation of the widespread dispensing of justice among tribesmen by *sheik* and local *saiyid*. If these decisions were not always accepted as revealing the ordinances of the Almighty they were at least generally in harmony with natural justice and were conformable to the traditional habits of thought and customs of desert folk. British officials generally developed the habit, when hearing cases, of advising with the head men of the towns and with sheiks of tribe and village. The Tribal Disputes regulation too, by means of the tribal court

7. This code was not applied beyond the vilayet of Basra.

(*majlis*, composed of sheiks), had worked so well that political officers seldom found it necessary to modify decisions thus handed down.

This plan resulted in more satisfactory decisions; it was often more expeditious; and it greatly relieved British administration.

An interesting clash resulted, however, between occidental and oriental jurisprudence. Tribal custom requires the payment of blood money to the relatives of a murdered man. There is less concern regarding personal punishment of the murderer, in fact, it is likely to be ignored. But in spite of the political officer's training and tendency to stress individualistic treatment he found it inadvisable to make frequent deviation from the tribal rule in such cases. It is the custom of certain tribes, too, to require in the case of blood feud that a virgin be handed over to the family of the deceased. It is claimed that while the payment of blood money is a punishment for the tribe, the surrender of the virgin, and the consequent intermarriage tend to remove animosity and to establish intergroup interests. Whatever the occidental may claim for his discovery of the individual in this and in other respects, it must be admitted that the oriental has at least in these instances retained something of a wholesome emphasis of group responsibility for individual behavior.

### *Land and Human Conservation*

Of greatest economic concern to the Iraqis are their land and agricultural interests. Here, as in the past, must remain the country's greatest source of wealth. And the assimilation of the Bedouin to the settled life must mean a further enhancement of agrarian interests. Land being the Iraqi's chief wealth, it must necessarily be the government's chief source of revenue. In recognition of these facts the British gave themselves at once to the rehabilitation of the land. Here too they had to build upon Turkish foundations. The Iraq code provided for, and the courts recognized, a due regard for Turkish laws and regulations respecting *tapu*, or land registration. But the variety of conditions, and the looseness and confusion of Turkish records and administration, have left a tangled skein. "A very large proportion of devolutions and transfers had not been registered, or they had been registered without proper enquiry into the facts, or obtained by bribing the *tapu* officials."<sup>8</sup> Revenue considerations placed this matter of *tapu* under the British revenue department. Irrigation and agricultural experimentation, owing to their engineering aspects, were put directly under military control.

8. *Review of Civil Administration of Mesopotamia*, p. 17.

The emergencies of war and the beginnings of a new civil life compelled special attention to the conservation of both British and Iraqi man power. This led to emphasis upon sanitation and medical care of the civil population. If Iraq was to be prosperous the ravages of various diseases peculiar to the land must be eradicated. Infant mortality, especially, must be reduced. Thus only would Iraq attract the desirable immigrant and induce the Bedouin to the settled life. But of even more immediate importance was the health of the invading army. Whole-some water supplies and drainage for the cities, hospitals and dispensaries with their medicines and doctors made impressive appeal to the natives.

"Medical facilities, integrity in the administration of justice, the gradual abolition of the tax-farmer, the stabilizing of taxation on a fair basis, the repairing of mosque and village, together with a sympathetic handling of the tribes, these were the most effective means of meeting Turkish and German propaganda."<sup>9</sup>

While Great Britain had won her first hold upon the Arab by the promise of freedom she seems here according to official statement to have depended, for maintenance and extension of that hold, upon an immediate and effective rendition of divers concrete services to the Iraqis. In all this there was the constant undoing of the old order of exploitation and a like constant development of the trustee system, though as yet formally unproclaimed.

Another source of intimacy and attachment between the British officer and the Iraqis during the period of occupation was the *shabanah* or tribal guards. They were enrolled and paid by the local political officers and served in the maintenance of order and protection of the lines of communication. They also carried messages, did errands, and served as bodyguards. Being selected through their sheiks and regarded as non-commissioned officers gave no little importance and attractiveness to their positions. By the end of 1916 there were five hundred shabanah.

A government press was set up at Basra. A paper came to be published daily in vernacular Arabic and Persian. And though the news came mainly from Reuter's, "local well-wishers were encouraged to contribute." The coffee-house habit of crowds gathering about one who will read aloud enabled larger numbers to gather bits of news as well as to be affected by pro-British propaganda. Here was another effective antidote to the ever-present and vigorous Turco-German propaganda.

9. *Ibid.*, p. 19.

Civil administration assumed distinctly more importance when Bagdad was taken (March, 1917). This was due both to the accompanying enhancement of British prestige and to the preëminence of Bagdad as an Arab and Middle East center. The fertile basins of the Euphrates and the Diyala were thus under control. Here was the heart of Iraq, from which went forth trade routes in all directions. Another formidable Turkish offensive was now less probable. Bagdad, being the centuries-old capital of the country, should now be made the rallying point of the new Arab political aspiration to help Allied arms on to victory.

The chief political officer was at once moved to Bagdad, leaving a deputy at Basra. In July thereafter he was promoted to civil commissioner. But the international situation still required that a "minimum of administrative efficiency should be aimed at" and under such military supervision as the commander-in-chief considered essential. A year later the administration of the two vilayets was put under unified control with Bagdad as center.

Since Bagdad was taken just before harvest, and since the main source of revenue was agricultural produce, one of the first considerations here was revenue collection. But the country had been widely devastated. The Turks are said to have destroyed what they could not eat. It was the third year of crop shortage. Hence, there was a lack of food, and seed for the next sowing was a vital concern. This led to the inseparable consideration of the encouragement and extension of agriculture.

Early in 1918 a department of irrigation was set up and soon thereafter a department of agriculture. Both were under military control until 1919. The launching of an extensive agricultural program, as did that of revenue collection, brought the invader face to face with the absence of public records which had, insofar as they had existed, been largely taken away by the retreating Turk. There were in private hands, however, certain titles to lands, such as they were.

As for tax collection, that seems to have been done mainly by holding the sheiks responsible for payment by their lessees, the government granting a share to the sheiks for their support in the undertaking. This did not succeed as well at Bagdad as it had at Basra, where estates were larger.

The agricultural area, which was the first important concern of the British, was that on the Euphrates lying between Hashemiya and Musaiyib. "This area contains the most fully developed tract in Mesopotamia and from it the Turks collected the main portion of their

land revenue. The tribes here (in 1917) had been cultivating for three years uncontrolled by their landlords, and no revenues whatever had been collected."<sup>10</sup> At the time of the occupation (1914) there were in the Hillah area fifty-four canals which, in good condition, had an individual command from over 240 to 20,000 acres. All were "in very bad condition." In fact, "canals everywhere had deteriorated." Some had gone unused, others were badly silted. In some places floods had been destructive, though for three seasons there had been insufficient rain. The Turks had cut the Euphrates dam opposite Bagdad, resulting in flooding rice lands and in reducing the volume of water needed elsewhere. Failure of the Turks to make needed improvements at the Hindiyah Barrage (dam) had resulted in no crops on this branch of the Euphrates. "Famine was threatening the civil population, and prices were so high that holders were tempted to sell their seed stores. It was necessary to extend the cultivated area with the greatest promptitude, and it was not possible to secure the increase required without large advances of cash and seed combined with extensive clearing of water channels, and some addition to existing canals."<sup>11</sup>

Under these circumstances the agricultural development scheme of 1918 evolved. Its inception was due to the initiative of the First Revenue Officer and he was to execute it.

Of the various improvement projects undertaken by far the most important was the great dam where the Hindiyah channel takes off from the Euphrates below Musaiyib. This particular project was done by the tribes under supervision of a sheik but the bills were paid by the political officer at Hillah.

Irrigation improvement was later extended to other areas on the Tigris and the Diyala. The scheme was widely explained to the people; sheiks were given special privileges for coöperation; and those who had titles to lands were threatened with an indefinite loss of the use of the same if they were not cultivated. Seed was furnished wherever its lack was made an excuse. The result was that, in addition to supplying civilian needs, the spring crops of 1918 furnished the British army some fifty or sixty thousand tons of grain.<sup>12</sup> Advances, in the form of seed and otherwise, and the increased water supply, were estimated to have accounted for one hundred twenty-five thousand tons of the spring crop.<sup>13</sup> The total expenditure on irrigation alone here amounted

10. Sir John P. Hewett, *Report for the Army Council on Mesopotamia*, p. 4.

11. *Ibid.*

12. *Review of Civil Administration of Mesopotamia*, p. 80.

13. Hewett, *op. cit.*, p. 8.

to £108,376,<sup>14</sup> but the entire agricultural scheme is estimated to have cost British taxpayers a million sterling.<sup>15</sup>

Dairy and grass farms were developed, 1918, under military supervision, and some experimentation in cotton culture was carried out.

One of the fundamental differences between the life of the Iraqis and that of a well ordered society is their lack of records pertaining to titles in landed property. Even unrecorded titles are scarce and many of those existing are indefinite, incorrect, or worthless. Security of title was essential in the elimination of land disputes, in the collecting of revenues, and in the execution of any program of agricultural development. Difficulties of this type were of course to be expected when over 75 per cent of the people were yet unsettled. As above stated the work of issuing and recording such titles was the duty of the *tapu* department. By the end of 1919 five *tapu* offices were opened in the vilayet of Basra and one in each of all the divisions of the vilayet of Bagdad. The Mosul Turkish office had never suspended. Numerous officers served in this connection in the various divisions of the vilayets. No attempt was made at first to register any save urban and garden properties. Along with this development went the mapping of towns and the refusal to issue deeds where the property was not recorded and checked on the maps. The air force, by use of air photography, made it possible to proceed rapidly with the mapping.

It was found that many deeds had been acquired "in the most irregular manner," contrary to law, and worded with extreme vagueness. Extensive tracts are reported at a small acreage to avoid the larger registration fees. Boundaries may be "quite incapable of practical interpretation on the spot." The settlement officer for the Bagdad division says "one reason for the non-existence of *tapu* documents is . . . the holdings are so small" that the cost of securing title would be greater than the value of the land. "In spite of this there is one instance of a document for a single tree." But even the existence of documents does not lessen the number of disputes. Documents can rarely be made to fit the ground. Reference is made to an instance where a certain line of hills was said to form the east boundary of a tract when in fact they were to the northwest. The points of the compass were more often incorrectly than correctly stated. "If the eastern boundary of a property is shown as the garden of Haji So-and-so in the document one hundred years old, it will almost certainly be the same in the most recent document, though Haji So-and-so's garden has changed

14. *Ibid.*, p. 49.

15. *Review of Civil Administration of Mesopotamia*, p. 120.



hands many times in the interval.... Areas are practically never mentioned. Where mentioned, they are without exception incorrect, often to an incredible extent. Length and breadth measurements are sometimes given, but they again are always incorrect."<sup>16</sup>

The British revenue secretary's study of Turkish methods of taxation in Iraq developed some interesting features. He calls it a "fluctuating assessment, the state taking each year a proportion of the gross produce. That proportion itself varies from place to place according to local conditions. In these circumstances, with no pressure of population on the soil, it is not remarkable that improvements should be conspicuous by their absence and that bad husbandry should be almost universal." While he saw agriculture as an uncertain business in Iraq he did not think a fixed tax demand impossible. It was "certainly generally desired by the holders of flow lands" (lands irrigated by natural flow). His study had led him to the conclusion that the Turks had avoided a fixed demand for the following reasons: (1) Through a fear of the tribes. (2) A desire to avoid anything which would "tend to foster the tribal sense of prescription right in the lands occupied by them." (3) Because "the annual pickings which estimation and assessment afforded their revenue staff were congenial to the officials and saved the treasury some expenditure on salaries."

As to the Turkish date tax the same official found a like variety of practice. This rate did not vary according to species of trees, proximity to market or means of irrigation, "but perhaps in accordance with the measure of the ability of the Turkish government to collect." The British had not found it "possible as yet (1920) to make any considerable changes but as information accumulates the tax will, it is hoped, be put on a more uniform basis." Some steps to that end had already been taken.<sup>17</sup>

It should be noted that the British recognized the date industry as one of Iraq's great resources. They grew from Bagdad to Fao on the Persian Gulf. Along the Shatt-el-Arab are the greatest date gardens of the world and Basra is the world's greatest date market.

Other fields for agricultural development appealing to the British in these years of military occupation were tobacco and silk culture. But these, as was cotton, were so far little more than subjects for informa-

16. Quoted in *ibid.*, p. 85.

Following the treaty between Iraq and Turkey, 1926, the Iraqi government secured from the land registry at Constantinople, photographic copies of many thousands of records regarding land and other properties in Iraq (*Report of High Commissioner*, 1927, pp. 125-6).

17. *Ibid.*, p. 87.

tion gathering and experimentation. They will require our attention later.

It was more and more evident to the new masters of Iraq that the revenue problems, as well as the tribal problems of the country, were fundamentally agrarian. In fact at the base of any stable internal social order for the Iraqis must lie the sound ordering of their unique and promising agrarian possibilities.

### *Improvements in Courts and Law*

Judicial administration in the vilayet of Bagdad during the period of military occupation differed from that of the vilayet of Basra in that the Iraq code, based on Indian law, was, by order of the British government, under no circumstances to be applied to the Bagdad area. Retirement of the Turks had left neither courts nor records, even "the riffraff of the town broke into the court building and rifled its contents." Immediate opening of courts was found impossible. Political officers were given power to deal with emergency civil cases and certain other temporary arrangements were made for minor cases, but otherwise there was a suspension of civil justice from the occupation of the city (March, 1917) to the end of the year. Criminal cases were disposed of by military or political officers.

Sir Edgar Bonham Carter came to Bagdad, July, 1917, to begin a study of the Ottoman law with a view of the reestablishment of the Turkish judicial system. The fact that the insurrection of 1920 called forth little or no criticism of the Iraq judicial administration was attributed by both Sir Edgar and Sir Percy Cox "to the policy which he had pursued, first, of making no unnecessary alterations in institutions or laws with which the people were familiar, and secondly, of making the fullest use of Iraqis as judges and officials of the department." The setting up of the new Ministry of Justice under the provisional government which followed, "therefore," says Sir Percy Cox, "involved no change in the policy which had been so successfully pursued."<sup>18</sup>

The Turkish law contains a Mohammedan element going back to the origins of Islam. It formerly took cognizance of both criminal and civil matters, but during the nineteenth century the Mohammedan law courts were reduced to questions of personal status and the like, following the adoption of a new system of civil courts based upon the French models. Commercial and penal codes were also adopted from the Napoleonic codes.<sup>19</sup> Carter realized that delay in setting up these

18. *Report on Iraq Administration, October, 1920—March, 1922*, pp. 70-1.

19. See passage quoted from Carter's preliminary report in *Review of Civil Administration of Mesopotamia*, p. 91.

courts ran the risk of violating the theories of international law requiring a continuation of local criminal law by an occupying army wherever possible. But lack of British acquaintance with the Turkish language and the complexity of the Turkish judicial system seemed to him sufficient excuse. It had been found advisable "to make very considerable amendments" to the Ottoman penal code in order to fit conditions in Bagdad, by introduction of certain features taken mainly from the Egyptian penal code (which was itself taken from the French penal code). Similarity of conditions in Egypt and Iraq suggested these modifications.<sup>20</sup> On January 1, 1919, the Bagdad court system was extended to the vilayet of Basra. The Mosul courts were also brought into the system.<sup>21</sup> It is well to note Sir Edgar's comparison between the old Turkish criminal courts and the criminal courts set up since the occupation:

"1. The work of the court is conducted in Arabic, and all the records of the civil court are kept in Arabic, instead of, as formerly, in Turkish, a foreign language in Mesopotamia.

"2. The judges of the civil courts are honest. The dishonesty of the Turkish courts is proverbial in the East. ....

"There are men living in Bagdad who in the course of a few years' tenure of a poorly paid qadhi-ship advanced from extreme poverty to wealth. ....

"3. Cases are heard with reasonable promptitude. .... The inordinate delays to which 'the Turkish system of appeal, .... lent itself, is a thing of the past.

"4. By reducing the number of the courts, by careful selection of judges, and by increasing their pay, the status of judges has been raised and a higher standard of competency has been obtained."

These courts were already, with the exception of a few British judges, staffed by Arab judges and clerks. As for the civil courts, he could not say so much. They "are still hampered by medieval rules of evidence and antique laws."<sup>22</sup> He pointed out that the main difficulty came from inability to find British judges who were Arab scholars and Arabs who were trained lawyers. The old Bagdad School of Law was reopened in November, 1919, for training native lawyers. In this school all teaching was now done in Arabic, whereas formerly it was done in Turkish.

20. Quotation from his annual report of 1918 in *ibid.*, p. 95.

21. *Ibid.*, pp. 96-7.

22. Quoted from his report in *ibid.*, p. 101.

### *Linguistic and Religious Adjustments in Education*

Educational activities assumed larger proportions at Bagdad. In the summer of 1918 a department of education was organized and the pertinence in Iraq of things Egyptian was again recognized by putting at the head of this new department a member of the Egyptian ministry of education.

Being now in the midst of the numerous religious sects the religious aspects of education became highly important. The Turks were Sunnis and "discouraged all but Sunnis from attending their schools." Anticipating such difficulties the English had, in order to induce all boys to attend the government schools, made provisionally the first primary schools at Basra free from all formal religious instructions, but had closed these schools on Fridays and Saturdays to permit parents to provide for their children such religious training as they chose. When, however, it was discovered that Moslems were patronizing the *mullas'* schools (which were usually held in the mosques and taught little more than the Koran) and really desired that government schools should give religious instruction, a new scheme was adopted. One hour a week was set aside for such religious instruction to be given by special non-government teachers at other than government expense. In this way Shiah, Sunni, Jew, and Christian instruction were provided for. But under the new department of education a somewhat different scheme was adopted. Religions were made a definite part of the curriculum. "In each school a religious teacher was appointed who belonged to the community majority. The minority are exempt and are allowed facilities to obtain instruction in their own faith where these exist," though the minority must in such cases equal a certain proportion of the total attendance. In schools where Moslem boys predominated the religious syllabus for the government school was designed to meet the views of both Shiah and Sunni, but where schools were wholly Shiah, as at Kerbela and Nejaf, a purely Shiah syllabus was allowed in response to requests for the same. Doubtless the British inclination to a varied control was here severely tested.

The policy was "an adequate provision of primary schools of elementary and higher type before embarking on a system of secondary education on a large scale." By April of 1920 there were eighty-five boys' schools of all types and five girls' schools. At this date six of each one thousand of the population were registered as pupils in government schools and denominational schools receiving grants-in-aid, but "the average daily attendance fell considerably below that figure."<sup>23</sup>

23. *Ibid.*, p. 104.

It was regarded that a system of compulsory education would commit the department to obligations which it could not at that time meet.

As indicative of the language aspect of Iraq education it is interesting to note that in the seventy-five primary and elementary schools existing at the end of 1919, teaching was done in Arabic in fifty-six; in Turkish in eleven (for Turkoman colonies along the eastern frontier from Mandali to Arbil, and also at Tal 'Afar); in Kurdish, in six, and in a Kurdish dialect called Shebek, in one (near Mosul); and in Persian, one. Modern Syriac is used in the Chaldean and Syrian denominational schools of Mosul vilayet. The syllabus of May, 1919, specified that the language of instruction should be the local vernacular. Arabic is taught as a foreign language in Kurdish and Turkoman schools, and Persian in a few schools. "Some conflict of opinion has arisen over the teaching of English in certain schools" and no "hard and fast rule on the subject" has been laid down. "In principle the general policy has been that English should be confined for the present to the larger towns, where a knowledge of the language is likely to be of practical value." The teaching of English is "hampered by the lack of competent teachers" and it is reported as "a regrettable fact that, owing to more competent teaching of language in the denominational schools, English is as a rule better known by Jewish and Christian boys than by Moslems."

These complicated religious and language features of the new education in Iraq contrast strikingly with the former simplified program of Ottomanization by means of Sunni and Turkish instruction. The Kurdish situation is handicapped especially by the necessity of the actual creation of a formal grammar and orthography. The linguistic variety of Iraq has already made trouble for the Teacher Training College at Bagdad, where instruction is in Arabic. It suggests the necessity of ultimately establishing such training colleges in those districts where Kurdish and Turkish are spoken. One encouraging feature was that in April, 1920, of the sixty-eight students in the Training College, forty-four were from outside Bagdad. The majority of these were boarded and lodged at government expense. At this teachers' college it is said that "Sunnis, Shi'ahs, and Christians work, play, and live together in a spirit of camaraderie and good fellowship, which a few years ago would have been thought impossible." It was hoped that the prejudicial reluctance on the part of the Jews to attend this institution would be overcome.<sup>24</sup>

Female education had among the "younger generation" become "a

24. *Ibid.*, p. 105.

kind of catchword. Men whose mothers never leave the house and who would be horrified at the suggestion that they should walk in the bazaars, even closely veiled, point to the emancipation of women in Constantinople as a proof that the Turks have rightly understood the female problem and have thereby laid the foundation for national greatness; and the implication that the British administration has been laggard in the 'Iraq is not absent."<sup>25</sup>

Higher education in Iraq, which under the Turks had included only the law school and the training college, had begun to expand. A commercial school, attended mainly by Jews, and a technical school, have been set up at Bagdad. The survey school, already mentioned, is expected to develop into an engineering college and the site for a school of agriculture has been selected. Heretofore the country has looked for its higher education to Constantinople, among whose schools here patronized were the French and American, and to French and American colleges at Beirut. We shall see more of the latter. The ardent nationalists especially were stressing higher education which, as they insisted, was the only means of setting up independent national institutions, for thereby only could responsible leadership be developed.

### *Police and Army Development*

Another important respect in which the Iraqis needed tutelage for self-government concerned the training of native police and a native army. In the main it had been the policy of the army commander "to keep the Arab population as quiet as possible and to avoid their being drawn into the operations." We have, however, already mentioned the semi-military services of the shabanah. After Bagdad was taken a maximum strength of nine hundred shabanah had been sanctioned for that vilayet. The end of hostilities greatly lessened the risks of arming the Arabs and British policy inclined to expand the shabanah into the nucleus of an Arab army. During 1918 and 1919 their services and numbers grew. They were put under military command and given military training. Early in 1919 they first received the official recognition as "militia" and then as "levies." After six month's experience and "with the sanction of increased pay and improved and definite conditions of service" it was said that "the general improvement in training discipline and *esprit de corps* of the levy represents a very hopeful achievement in so short a time and effectively disposes of the criticism that Arabs will not submit to discipline and military life."<sup>26</sup> By the spring of 1920 these forces were widely distributed through the upper

25. *Ibid.*, p. 106.

26. *Ibid.*, p. 109.

valleys of the Euphrates and Tigris and they were liable for service throughout Iraq. As a general rule recruiting by tribes was avoided to promote *esprit de corps*. The Arab had not so far been found satisfactory as a military officer and this was even true of the sheikly class. The courage and fighting ability of the Arab had been found quite satisfactory.

The development of a native police force likewise had its small beginnings. A detachment of police from Aden and also some Egyptian laborers had at first been used as police. By 1920 a centralized police force had been established with an inspector-general at Bagdad and with deputies and assistants at various cities. The Arab was again found lacking in police official capacity.

One of the serious problems in connection with internal security was that of disarming the tribes. They were habituated to possessing arms and the war period had greatly augmented the supply. Before any great improvement in the maintenance of law and order could be expected the tribes would have to be disarmed. By March of 1920 there had been collected some fifty thousand rifles in the vilayets of Bagdad and Basra. Arms regulations had thereafter been issued forbidding carrying, possessing or dealing in arms without a license. But little had been done in application of these regulations when the revolt came in the summer of 1920. The presence of the British army was the indispensable means of security throughout the period of occupation.

### *Railways, Finance, and Administrative Personnel*

Before concluding our account of civil administrative development prior to setting up the provisional government in Iraq it is necessary to sum up three other important matters:

- I. Railway development.
- II. Government finance.
- III. Personnel of the administration.

I. The only railway in Iraq before the war was the short line, of some seventy-five miles, between Bagdad and Samarra, as part of the Bagdad railroad referred to above, built by the Germans. The railway system, with the above exception, built by the British army of occupation, consisted of the following lines when turned over to the civil administration, April 1, 1920.<sup>27</sup>

27. *Ibid.*, p. 117.

Meter gauge main lines:

	<i>Miles</i>
1. Basra to Bagdad west	352.28
2. Bagdad east to Quraitu, on the Persian frontier	130.09
3. Kut to Bagdad east	108.00
4. Meter gauge branches of the above, completed or under construction, chiefly the former	108.45

Total meter gauge lines 698.82

Standard gauge (4 ft., 8.5 in.) lines:

1. Bagdad west to Shargat on the Tigris. This line included the Bagdad-Samarra section built by the Germans	185.9
2. Bagdad west to Bagdad south	2.1

Total standard gauge lines 188.0

Light lines of 2 ft., 6 in. gauge:

1. Bagdad south to Fallujah on the Euphrates	37.94
2. Hillah to Kifh on the Euphrates	21.00

Total 2 ft., 6 in. lines 58.94

This makes a grand total of 934.76 miles at the time, about 840 of which were British built. The first objective in the construction of these railways, as of roads, bridges, and certain other public works was military. Sir John P. Hewett, reporting to the war office early in 1919, said on this point, "There is no doubt, speaking generally, that the expenditure incurred during the war far exceeds any sum at which the railways could fairly be assessed as a commercial concern."<sup>28</sup> The allocation of expenses between military and civil funds was one of the tasks assigned to Sir John but so complicated was the situation that he had to make an arbitrary division as between these two interests. Such a division was an important question as related to the transfer to Iraq of certain public utilities. The railways, however, as we saw in connection with the finance subsidiary agreement between Great Britain and Iraq, were not among the utilities at that time transferred.

These railways were doubtless much more of an improvised patchwork than the table reveals. Colonel Wedgewood stated in the House of Commons, 1922, that "... at one time there were no less than six railways running to Bagdad every one of which had a different

28. *Report for the Army Council on Mesopotamia*, p. 35.



gauge."<sup>29</sup> Sir Percival Phillips, sent by the *Daily Mail* to report on conditions at Bagdad, 1922, remarked after a ride on the Basra-Bagdad line, "It winds through the desert in an insecure fashion, and trains sway over the undulating roadbed like ships in a heavy sea."<sup>30</sup>

II. Below are the totals of civil revenues and expenditures covering the period from the end of 1914 to the end of the financial year 1919-20.<sup>31</sup>

	Receipts	Expenditures
1915-16	Rs. 45,68,642 <sup>82</sup>	Rs. 16,22,344
1916-17	81,08,250	31,63,200
1917-18	152,52,048	100,28,286
1918-19	293,13,180	166,49,720
1919-20	495,36,510	521,87,780
Totals	Rs. 1,067,78,630	Rs. 836,51,330

The largest yearly item in the receipts column for each year, save the second and the last, was labeled "land revenues and general taxes on agricultural produce, sheep, cattle, etc."; this item was the largest for the five-year period as a whole. The second item in size in this column was "customs." It exceeded the preceding item in the years named. Except for the postal service, which yielded nothing for Iraq until the last year of the period, it was mainly the growth of the two above items which accounted for the increasing totals with the passing years. The taking over of the vilayet of Bagdad in 1917 and that of Mosul in 1918, and the consequent restoration of trade, especially in the last year, explain the big growth of these items, though more effective collections was a factor.

The expenditure column reveals no such concentration by items as does receipts. The two items heading the list here were "headquarters administrative expenditure" and "political officers, revenue establishments." The most notable feature under this column pertained to various expenditures not appearing until the last year, under such headings as "posts," "telegraphs," "irrigation," "levies," "transport," and "land acquisition." "Expenditures" represented a gradual outlay for the direct benefit of the inhabitants until the last year, when it jumped to more than 300 per cent of the preceding year, owing mainly

29. *Parl. Debates*, Vol. 151, col. 1667.

30. His *Mesopotamia: The "Daily Mail" Inquiry at Bagdad*, p. 47.

31. *Review of Civil Administration of Mesopotamia*, p. 118. The financial year was from April 1 to March 31.

32. This number is read "45 lakhs, 68,642 rupees." A *lakh* equals one hundred thousand rupees. The rupee is the Indian monetary unit and equals about 1s. 6d.

to the above first-named items. Doubtless the most important feature revealed by these figures was the regularly recurring surplus, until the last year, and for the period as a whole a considerable surplus.

This unspent surplus raises the question as to whether, under military law requiring the occupying power to carry on the normal functions of government, Great Britain had done her duty by the Iraqis. The government report for the period takes up this question.<sup>33</sup> In acknowledging delinquency in this respect it is pointed out that for four years (1915-19) Great Britain spent only three *lakhs* on Iraqi education, "whereas the Turks spent annually a large sum," and that "up to the end of 1918-19, practically the only expenditure of civil revenues on irrigation, that primary and indispensable means of conserving and developing the wealth of countries with scanty rainfall, was a sum of fifteen lakhs in 1917, on the Hindiyah Barrage. Apart from the grant of loans to cultivators nothing was spent before 1919 on the development of local agricultural methods, though this is a commonly accepted function of modern governments." Posts and telegraphs before 1918, and other works of public utility were, by acknowledgment, neglected. But though this be "a somewhat grave indictment of the civil administration" the official mind is relieved owing to the fact that the situation "can be sufficiently explained." The reader of this document is, however, greatly disappointed to find that the only direct explanation offered is in the following words: "At first, undoubtedly the principal factor conducive to underspending was lack of staff." It is pointed out that few officers were sent out expressly for civil administration and that most of those available therefor were lent from the military service. It is also stated that "in the matter of the improvement of cultivation the Arab taxpayer was fortunate in finding military objects coinciding generally with his own interests, and he profited considerably by the agricultural development scheme initiated in 1917 under military auspices, on which a sum of not less than a million sterling was spent." No doubt a franker and more comprehensive explanation could have been found in Great Britain's extremity of resources as she faced the terrible efficiency of the German war machine.

It is well to state here that the introduction into Iraq of an alien currency, that of India, was justified on the grounds that the local currency was insufficient in volume to meet the increased exchange demands incident to the prosecution of the war. The Turks had undertaken to withdraw the gold from the country and to substitute therefor specially issued government paper. The rapidly depreciating paper

33. *Ibid.*, pp. 119-20.

was never at par and at the end of 1916 the British government, for political reasons, issued a proclamation demonetizing it. It should be said in this connection that it was very convenient for the Indian army to bring along its own currency.<sup>34</sup>

III. The following shows the personnel, not including railways, employed in the civil administration on August 1, 1920:<sup>35</sup>

	(1) Receiving over Rs. 600	(2) Receiving less than Rs. 600
British	507	515
Indian	7	2,209
Arab	20	8,546

This personnel was distributed among twenty-six different departments. There were from one to 106 Britishers of group (1) in each of these departments, the 106 serving in the executive staff. Of the twenty Arabs in group (1) ten were in the judicial department. Of the 2,209 Indians in group (2) the largest number was found in the Posts and Telegraphs department, the next in the Port department and the next with the executive staff. Of the Arabs in group (2), 2,987 were in the levies, 2,397 in the police, and 862 were with the executive staff. It is seen then that outside the levies and police the Arabs had not at this time a very great advantage over their imported, but despised, Indian neighbors. This, as we have learned, was a factor in the revolt at this time.

During the six years (1914-20) of military penetration and control of Iraq, the British, as we have seen in the preceding pages, learned much of the country and its people. Many able Britishers, military and civil, had participated. These were years of dynamic movements in Iraq, in the entire Near and Middle East, in Great Britain, and in the world at large. Whatever had motivated the original occupation and whatever arrangements, national or international, had evolved in connection therewith, were destined themselves to undergo fundamental modifications with the course of concurrent and subsequent events. Most fundamental of all these dynamic changes was the spirit of liberalism working through an evolving adjustment of human interests in general. As for the Iraqis this liberalism was particularistic. They had suffered long as the victims of a social submergence. In all these six years of war "for democracy," of break-up and realignment, they had caught the spirit of the time and were not to be disappointed. If Brit-

34. See *ibid.*, pp. 121-2.

35. All drawing pay whether sick or on leave are included.

ishers had shed blood in the Middle East for military advantage, for empire, or for oil, the Iraqis, in spite of all the beneficence of the new British administrative régime, were now willing to shed blood for a larger national freedom. Hence, came the revolt of 1920 and the change of British policy, in large part consequent thereto.

But British imperialism and the Iraqi spirit of nationalism were nevertheless to make another compromise. If the Iraqis were willing to give their blood for liberty why should they not the more readily yield to a more material consideration, as for instance, a friendly imperial coöperation and a contractual exploitation of oil, to make that liberty more secure?<sup>36</sup> And it was on this basis of *bargaining* for whatever the new international order (of which she was an essential part) would allow that Great Britain rested her new policy for Iraq from 1920 to the present. This new policy got its special impetus with the transfer of Middle East affairs from the war office to the colonial office and the appointment to the latter of Churchill in February, 1921. In this connection T. E. Lawrence seemed to have become the intimate and effective adviser of the new colonial secretary. He thus found opportunity to redeem his pledges to the Arabs. It turned out, it is said, that "he is naturally very much hated by most government officials, regular soldiers, old-fashioned political experts and such like; he is a disturbing element in their ordered scheme of things, a mystery and a nuisance."<sup>37</sup> Lawrence himself is quoted as saying, "I take to myself credit for some of Churchill's pacification of the Middle East, for while he was carrying it out he had the help of such knowledge and energy as I possess. His was the imagination and courage to take a fresh departure and enough skill and knowledge of political procedure to put his political revolution into operation in the Middle East, and in London, peacefully. When it was in working order, in March 1922, I felt that I had gained every point I wanted. The Arabs had their chance and it was up to them, if they were good enough, to make their own mistakes and profit by them. My object with the Arabs was always to make them stand on their own feet. The period of leading-strings could now come to an end."<sup>38</sup> This new policy,<sup>39</sup> which was broadened with the subsequent decade, was evident at the beginning

36. See letter of T. E. Lawrence to *London Times*, July 22, 1920, on this point.

37. Robert Graves, *Lawrence and the Arabian Adventure*, p. 54.

38. *Ibid.*, pp. 396-7.

39. For a long speech of Churchill's in the House of Commons, June 14, 1921, on Middle East policy, see *Near East and India*, XIX, 743-7.

of the new provisional government under the first High Commissioner, Sir Percy Cox.

The military government which had lasted for two years following the armistice and which had been a great source of irritation to the Iraqis, was to be abolished. The civil régime now proposed was to last until Iraq's own national government was set up. Of all the fateful historical periods of the Two Rivers country, the one now beginning has the significance of seeing born its first democratic society.

## Chapter Eleven

# TUTELAGE UNDER CIVIL RULE

### *The Provisional Government*

SIR PERCY COX, the godfather of the newborn state, had been the chief British Resident in the Persian Gulf for many years before the war. During the occupation of Iraq he had served as first chief political officer and later as civil commissioner. For the latter part of this period, including that of the revolt of 1920, Sir Arnold T. Wilson had served as acting civil commissioner while Cox had been at Teheran and London negotiating the Anglo-Persian treaty. An abler man than Cox, for the job ahead, could hardly have been found.

During the oncoming upheaval of the preceding months Cox and Wilson had (in June) yielded to the importunity of a self-appointed committee of Bagdadis which had been formed to voice opposition to the mandate and which asked to be allowed to lay its views before the civil commissioner. The result was that this committee announced, with the approval of the British government, the early establishment of an independent Iraqi government. But it came too late to forestall the revolt.<sup>1</sup>

The real work of civil government was initiated with Sir Percy's return early in October, 1920. His proclamation instituting the new régime refers to the announcement of the preceding June with the elaboration that at that time there was projected a general assembly to prepare an organic law. Thus whatever change of British policy resulted from the revolt of 1920 it was now made to appear that the new régime was a continuation of previous policy. His proclamation, November 11, 1920, continued:<sup>2</sup>

"Now, Therefore, I, Major General Sir P. T. Cox, G.C.I.E., K.C.S.I.,

1. See Sir Percy Cox in Lady Bell, ed., *The Letters of Gertrude Bell*, II, 525-6; and for a more detailed account see *Review of Civil Administration of Mesopotamia*, pp. 141-2.

2. *Report on Iraq Administration, October, 1920—March, 1922*, Appendix 2, pp. 123-4.

K.C.M.G., by virtue of the authority vested in me as High Commissioner of Mesopotamia, do hereby proclaim as follows:

"1. There shall be constituted a Council of State consisting of a president, ministers for the following departments, Interior, Finance, Justice, Awqaf, Education and Health, Defense, Public Works, Commerce and such other members without portfolios as may be nominated.

"2. Until the organic law is promulgated and brought into effect, the Council of State and ministers shall be responsible for the conduct, subject to my supervision and control, of the administration of the government, excluding foreign affairs, military operations and general military affairs, except such military affairs as concern solely the locally recruited forces."

Thus was to end the military régime with the commander-in-chief now as the source of authority. The Council of State thus set up was responsible to Sir Percy Cox. All legislation should issue from him, directly or indirectly, by proclamation.

Cox found that, before he could go ahead satisfactorily with a civil order, what remained of the revolt must be put down. The process of complete pacification of the country would, however, be a matter of several months. The sooner the new British policy manifested itself in concrete institutions largely under the management of Iraqis, the sooner would come pacification. In this connection he says, "His Majesty's government had charged me with the duty of assisting the leaders of the country to create in 'Iraq, with the guidance of Great Britain, an Arab national government, the constitution of which would be drawn up under the auspices of an elective assembly; but I pointed out that as long as sections of the tribes and communities were in active rebellion, it was obviously impossible to hold a general election, and in a proclamation, issued October 17, I expressed myself at a loss to understand the object of the tribes in continuing hostilities and desired them to put themselves into communication with my political officers with the object of clearing up any misunderstanding that might still exist."<sup>8</sup> In the meantime military operations were still in progress and martial law prevailed.

Certain of the tribal leaders suggested that negotiations should be opened with the head of the great Shiah sect who had played a leading rôle in the revolt and who represented a majority of the people of Iraq. This Shiah divine, residing at Najaf, had, himself, proposed sending representatives to Bagdad. It happened, however, that the death of this high personage in December left Shiah headquarters

3. *Ibid.*, p. 4. For proclamation, see *ibid.*, Appendix I, p. 123.

without any recognized leader. But the Shiah influence had gained no prestige from the events of the previous summer, and "when the failure of the resort to arms had been placed beyond doubt," says Cox, "men called to mind and openly expressed the maxim that doctors of divinity should properly be precluded from taking part in the politics of this world by their preoccupation with matters appertaining to the next."<sup>4</sup>

The High Commissioner, nevertheless, realized the advisability of consultation with representatives of the people, and did it frequently. In fact, when he determined upon instituting at once a provisional government he deemed it wise to ask the venerable naqib of Bagdad "to form and preside over the provisional Council of State." His Highness, the naqib, was the leader of the Sunni sect in and about Bagdad. This sect, it will be recalled, represented a distinct Arab influence, was orthodox, and more educated than the Shiah sect, though distinctly in the minority.

The system of ministries created by Cox's proclamation followed the lead already indicated in the preceding years. In this first galaxy<sup>5</sup> of Iraqi statesmen were included Arab members of the former Turkish chamber, for example, Saiyid Talib Pasha, minister of the interior, and Sasun Effendi, minister of finance. The former was the eldest son of the naqib of Basra and was, as we shall see, possessed of royal ambitions. The latter was of a prominent Jewish family of Bagdad and had been president of the finance committee. Ja'far Pasha, minister of defense, will be recalled as the former military governor of Aleppo under Feisal and as heading a committee of Mesopotamians before the King-Crane commission. He had distinguished himself as commander-in-chief of the Hedjaz army against the Turks in the West. Izzat Pasha, minister of public works, was a former Turkish general of Kirkuk. Saiyid Muhammad Mahdi, minister of education and health, was a Shiah of Kerbela. Muhammed Ali Effendi, minister of Auqaf, was an ex-Turkish deputy and citizen of Mosul. There were nine ministers without portfolios with seats on the council, including the mayor of Bagdad, "two paramount sheiks of large Shi'ah tribal confederations, Christians from Mosul and Bagdad and Basra and notables of Bagdad and Basra, one of whom was a Shi'ah." Later two more Shiahs were added as also a member of the Sunni family of the Sa'dun, a prominent tribal group. "Thus composed the Council represented very com-

4. *Ibid.*, p. 5.

5. For full personnel of Council of State see *Report*, 1920-22, p. 5.



prehensively the various interests and communities of the people."<sup>6</sup> To each ministry was attached a British adviser.

The High Commissioner says that "one of the most urgent duties incumbent on the Council" was "the appointment of Arab officials to replace British" political officers. It will be recalled that the prevalence of non-Arab officials, especially of Indian origin, was frequently mentioned as an important cause of the revolt of 1920. The supply of competent official talent at this time was being constantly increased by the repatriation of Iraqis, who had been in official service in Syria under Feisal, as well as many others, who for one cause or another, had been in foreign lands. Many such returned from Turkey. There is said to have been "an uninterrupted flow from Constantinople and other parts of Turkey of Iraqis whose return is of advantage to the state." These included "men of experience and education who held civil or military appointments under the Turks as well as private individuals" who had "come back to take office in the Iraq government, to practice their professions, or to devote themselves to the management of their estates."<sup>7</sup> Those who had been deported for political offenses, about sixty in all, were allowed to return, some under immediate release and the rest under the general amnesty proclamation of May, 1921.

The scheme of political divisions of the country followed closely that of the old Turkish organization. The vilayet, however, as we have seen, was abolished. The largest divisions, of which there were ten, were called *liwas*. These were divided into *qadhas*, of which there were thirty-five; and these last, in turn, were divided into *nahiyahs*, of which there were, altogether, eighty-five. This scheme of political division (later modified) became, on its adoption, December 12, 1920, the basis for the High Commissioner's appointment (the Council of State approving) of Arab officials who proceeded with the expanding pacification of the country. The rule was for the British political officer on the job to become the adviser of the new Arab appointee. The administrator of each liwa (the *mutasarraf*) had one adviser except in the larger liwas, where there were two. Experience with Iraqi officials soon proved, however, that a definite period of probation was advisable before final confirmation in their positions.

Some anxiety was felt by the High Commissioner in regard to the inclusion in the provisional government of the Kurdish districts of the Mosul area. The trouble was not the unsettled question with Turkey but Kurdish fears of subordination to the Iraq national gov-

6. *Ibid.*, pp. 5-6.

7. *Ibid.*, p. 7.

ernment. Sir Percy's careful adjustments with some concessions, however, brought this most important non-Arab element into the Iraqi fold with the exception of the Sulaimani division, which after almost unanimous rejection of such inclusion, was allowed to remain outside under direct control of the High Commissioner.

Other important matters to which the High Commissioner had to devote himself immediately were municipal elections, adoption of an electoral law for the national constituent assembly, and the formation of a national army.

Municipal elections had not been held during British occupation. Mayors had been appointed by political officers assisted by a small municipal council. Now the old Turkish municipal law was revised, translated into Arabic, modified from its tax-basis suffrage to manhood suffrage, and put into effect, by the council of ministers in the autumn of 1921.<sup>8</sup>

The Turkish electoral law was likewise taken up and modified for use under the new policy. As the Council of State considered a copy of this law, presented to it by a committee of ex-deputies, the High Commissioner found it necessary to show his hand of control by demanding that the council, against its expressed wish, should include a provision by which the tribes would secure representation. They had formerly been virtually excluded from participation in elections. Special representation was also granted to the Jews and Christians. At this time one of the Iraqi characteristic weaknesses was manifested—the lack of legal knowledge and practice. The British legal adviser to Cox found that after the electoral law was printed by the ministry in the spring of 1921 it “was so full of omissions and incongruities” that it could not be applied. This necessitated revision and delay. Another defect in this law, as pointed out by Cox, was that it carried no provision safeguarding the rights of Iraqi Kurds as required by the Treaty of Sèvres (art. 64, 3). Although the king had later signed the law, otherwise revised, Cox demanded inclusion of this provision though the treaty was yet pending. He took particular pains, too, that the Kurdish divisions of Mosul, Kirkuk, and Sulaimani be assured that their participation or non-participation in the election should not prejudice their cause whatever their ultimate status might be. This law as finally amended, May 1, 1922, and immediately thereafter published, provided for the election of the constituent assembly consisting of one hundred members, eighty to be chosen by the villages and towns (including five each for the Jews and Christians), and twenty

8. *Ibid.*, p. 23.

by the tribes.<sup>9</sup> The scheme of voting was one of primary and secondary electors similar to that already referred to as provided for in the constitution later.

The entire matter of setting up municipal organizations and providing for the general electoral law had been delayed and complicated by the fact that Saiyid Talib Pasha, head of the department of interior and under whom these activities were to be carried out, was more or less secretly a candidate for the throne and had sought delay until his propaganda was more extended. The deportation of this royalist schemer in the spring of 1921, as already noted,<sup>10</sup> left the way open for Feisal and the holding of elections. The organization and functioning of the municipalities were essential to the return of the normal civil life of the articulate portion of the people as well as to the holding of the general elections. By the end of March, 1922, municipal elections had been held throughout the country. Account of the general elections and the subsequent work of the constituent assembly have already been given.

We have seen that the Cairo conference in the spring of 1921 determined the British choice of a king for Iraq. On the proposal of the naqib, the Council of State adopted unanimously, July 11, 1921, a resolution declaring Amir Feisal king of Iraq, provided his government should be a constitutional democracy limited by law. The High Commissioner, before exercising his prerogative in confirming this king-making resolution, fortified himself by the royal election previously noted. On August 23, 1921, "in the presence of representatives of all local communities and of deputations from every liwa of the 'Iraq, except Sulaimani and Kirkuk," says Sir Percy, "I proclaimed H. H. the Amir Faisal to have been duly elected king of the 'Iraq and announced his recognition by His Britannic Majesty's government."<sup>11</sup> The new king in a "moving oration" gave the required pledge as to his future government. Following the royal ceremonies the entire Council of State (the provisional government) presented its formal resignation. The venerable naqib was then informed that "in recognition of his services to his country," King George had conferred upon him "the high distinction of Grand Commander of the Order of the British Empire." Feisal now honored the naqib by asking him to create and preside over his first cabinet. This body was enlarged

9. *Report on 'Iraq Administration*, April, 1922—March, 1923, p. 7. See *ibid.*, Appendix I, for the law.

10. Chap. v.

11. *Report, op. cit.*, p. 15.

by one department, that of Public Health, through the separation of this service from Education, thus making nine departments.

Feisal's accession to the throne added a definiteness and stability to the new régime. Though the Sulaimani liwa refused to participate in the indorsement of His Majesty the latter's subsequent visits of state to Mosul, to the Shiah area, and to the Muntafiq liwa (in the southwest) seemed to do much to win these recalcitrant groups, as well as the people at large, to the now rapidly growing national consciousness. And though Feisal was something of a foreigner to the Iraqis it was a comforting return of regularity for these orientals again to have a king.

### *Government under King and Cabinet*

This new cabinet government, without either constitution or parliament, but presumably under a constitutional king, proceeded outwardly with its coterie of British advisers, much as before. From an international point of view the situation was no less paradoxical since its sanction and recognition rested on a treaty and a mandate not yet ratified. "The king and the High Commissioner agreed that every executive and legislative decision taken by the 'Iraqi government should from that date (August 23, 1921) be taken in the form of a resolution of the council of ministers which had to be submitted to the king for his approval. A copy of the resolution was at the same time to be sent to the High Commissioner and the king undertook not to approve it until he had either received the comments of the High Commissioner upon it or been told that he desired to make no comments. Any objection which the High Commissioner might raise to the action proposed, and any modification in it which he considered desirable, would ultimately be communicated to the Council in the form of a royal command from the king himself."<sup>12</sup> Typical as this is of British juridical procedure, it is a picture *par excellence* of British tutelage in statecraft. Here is projected an experimental combination of oriental monarchy and occidental democracy out of a background of authority issuing from Great Britain under a supposed mandate whose principle is a sacred trust. But practically Sir Percy, supreme over all, went full-steam ahead.

Cox's authority was to display itself in a significant manner during Iraq's agitation over the pending Anglo-Iraqi treaty during the summer of 1922. The extreme nationalist press, led apparently by the reappearance of the *Istiqlal* (following a three weeks suspension), was bitterly attacking the treaty as a disguised scheme to incorporate Iraq

12. *Special Report*, pp. 26-7.

into the British Empire. Leaders of the two nationalist parties were particularly active among the politicians and loafers of Bagdad coffee-shops. The agitation had resulted in wide suspension of administration in the provinces. The collection of revenues had all but ceased in certain areas. Late in June the Council of State had accepted the treaty but had persisted in its demand that the constituent assembly's approval thereof was necessary. The uncertainty of the king's position on the treaty added to the political confusion and the cabinet resigned, August 14. In this inauspicious interim came the first anniversary of the king's accession (August 23, 1922). Cox, with his staff, had gone on this date to extend congratulations. Upon arrival at the palace, and as they were crossing the royal threshold, a party of leaders with their contingent there "evidently by design on the part of the king's chamberlains," made a vigorous anti-mandate demonstration. For this insult Cox at once demanded and received apology from the king.

The High Commissioner assumed the entire royal function on August 26, after the king suffered a strangely sudden attack of appendicitis and after it appeared that "peace was in lively jeopardy" as a result of the anti-mandate agitation. Some half-dozen of the nationalist leaders were arrested and deported. On September 10 His Majesty was able to resume his duties and to express his thanks to Cox and his entire satisfaction with all that had happened.<sup>13</sup>

Sir Percy referred to an occasional use of the royal air force "when, at the request of the local Arab executive official, backed by that of his British adviser, it has been necessary, as it was after the troubled months of the summer." He used the opportunity to indorse a statement in the House of Commons (February, 1922) by the Secretary of State for Air to the effect that "there is no example in which air action has been taken for the purpose of collecting revenue."<sup>14</sup> On this point, however, Sir Percival Phillips reporting for the *Daily Mail* on conditions, 1922, said:

"Whatever the government may say to the contrary, rule by bomb in Mesopotamia has as one of its underlying motives the collection of taxes from turbulent Arabs.

"Responsibility rests with the Baghdad government, not with the royal air force. King Feisal's administration cannot live without money. Whenever a provincial governor (backed by his British adviser) is unable to extract the revenue from the people, he threatens them with force. The only local force available is the police. They cannot deal

13. *Report*, 1922-23, pp. 18-23.

14. *Ibid.*, p. 22.

with armed tribesmen who are only too ready to murder any interloper in their private affairs.

"Thereupon the governor writes into Baghdad for assistance in 'restoring order.'"<sup>15</sup>

This witness on the spot went so far as to say that "the Arabs have accepted bombing as part of the established order of things." And he quoted one of these native sons of the desert, whose house and livestock had been destroyed, as issuing a flaming Arabic challenge to the "British invaders" to "come down from the sky and fight them like men."

This refusal to spoil the child by sparing the rod must not be eliminated from the tutorial picture.

### *The National Army*

The creation of a national army for Iraq and the accompanying program of a progressive reduction of the British garrisons in the country were prominent features of the new policy. This was one of the main questions discussed at the Cairo conference in the spring of 1921 where this new policy was evolved. It was chiefly an economy program in response to the urgent demands of British taxpayers. It was no small task to provide a native army sufficiently strong, and, at the same time sufficiently loyal to British control, to quell what remained of the revolt, to keep the ever-threatening tribes in order, and to keep open the lines of communication with the Persian Gulf. The constantly increasing supply of Iraqi ex-officers of the Turkish army who, upon repatriation were seeking employment, constituted an embarrassing situation. Pending their absorption in the new army, however questionable their loyalty, they were given allowances as liberal as scant revenues would allow. These proved insufficient as a livelihood and, hence, these men were a hungry and discontented element in this as yet unstable community.

Ja'far Pasha al 'Askari, the former commander-in-chief of the army of Hedjaz, had come from Syria in October, 1920, and was, as above stated, made Minister of Defense. Early in January of 1921 a headquarters staff was created and later enlarged, being composed mainly of officers from the sherifian forces of the war. "On the recommendation of the Minister of Defense the council of ministers decreed that the 'Iraq army should be organized, trained, dressed, and equipped on British lines."<sup>16</sup> Other officers from Syria and the Hedjaz were later to be added. Recruiting begun in June, 1921, resulted by March, 1922,

15. *Op. cit.*, pp. 57-9.

16. *Report*, 1920-22, p. 53.

in the enlistment of 3,457 men. The Iraq Military College was formally opened July 19, 1921, in the presence of His Highness Amir Feisal, His Excellency the High Commissioner, and other dignitaries. At this time 156 Iraqi officers enrolled, with seventeen Britishers directing and instructing. It was planned to send a number of English-speaking officers to Great Britain for certain courses of instruction.

We referred above to the levies which had grown out of the shabana of wartime. At the Cairo conference it was decided, in order to facilitate the removal of British troops, to increase the levies. But Cox withdrew them from the Department of Interior, under which they had recently been placed, and assumed direct control himself, "with the proviso that in time of war all local forces should come under the command of the G.O.C. (general officer commanding-in-chief) so as to avoid dual control."<sup>17</sup> Since the levies were thus controlled and commanded by British officers, their budget was transferred to the British exchequer.<sup>18</sup> The recruiting in these forces was in the future to be among the Kurds and Assyrians only and the Arab element was to be eliminated. It was the intention to remove them gradually to the northeastern frontier where they would do the work of real soldiers. Early in 1922 they numbered over five thousand. There was thus set up for Iraq a strange triple-defense arrangement. Churchill admitted in the House of Commons that "an Arab army, an imperial army, and an army of levies, all coexisting together in the service of one state, differently paid, and variously controlled and commanded, does lend itself to humor and even ridicule." There was also the royal air force and, incidentally, the police. The Colonial Secretary believed, however, that they were getting along quite well at it.<sup>19</sup> This admission gave added weight to the British drive for economy in Iraq.

The Secretary, however, had been able to announce a year earlier that British battalions in Iraq had been reduced from forty-five to twenty-two,<sup>20</sup> and later he could give the monthly cost of maintaining British forces there as follows:<sup>21</sup>

March 1920	approximately	£3,000,000
March 1921	approximately	£2,250,000
March 1922	approximately	£ 500,000

17. *Ibid.*, p. 10.

18. The British preferred this system to grants-in-aid to the Iraq army (statement of British representative before Permanent Mandates Commission, Twelfth Session, pp. 26-7).

19. *Parl. Debates*, Vol. 156, col. 1118, July 11, 1922.

20. *Ibid.*, 1921, Vol. 144, col. 1629.

21. *Ibid.*, 1922, Vol. 152, col. 1575.

In preparing Iraq to stand alone in the world few things were of more importance than the organization and disciplining of her army. From the first, one of the serious deficiencies in this regard had been the dearth of first class official material. The soldierly bearing and the energy necessary for proficiency were wanting. As for the rank and file, however, better results were to be obtained. As the national spirit gradually evolved there was fostered a more wholesome *esprit de corps*. Enrolment of the tribes in military service showed as early as 1923 that they constituted 75 per cent of the infantry, 37 per cent of the cavalry, and 25 per cent of all officers.<sup>22</sup> The tribal percentage in that most serious of all Iraqi army crimes, absence without leave, is not reported. It is notable, however, that upon expiration (1923) of the first two-year period of voluntary enlistment, 50 per cent reenlisted for a second two years, and in the following year this grew to 59 per cent, and the next year to 71 per cent. In recent years a maximum had to be placed on enlistments at the various centers. Even from Sulaimaniya, that most cantankerous of all liwas, men joined the ranks freely.

Solution for the officer problem has been sought in an increasingly rigid military education and training. The Iraq Military College, abandoned for economy in 1923, was reopened by necessity for cadets in 1924. By 1928 town boys required a three years' training while tribal sons, with less education, required five years before receiving commissions. It seems that the sons of sheiks and their relatives were receiving preferred treatment. The college in 1928 was turning out annually some thirty cadets ready for commissions. The Military College, as is the army organization, is based upon the English model. From 1923 on an increasing number of cadets or officers was sent for training to India or England, with excellent results reported.

It was decided in 1921 that steps should be taken at once to create an Iraqi army of fifteen thousand, but as late as 1928 the British representative stated before the Permanent Mandates Commission that the army's peacetime strength was probably about eleven to twelve thousand.<sup>23</sup>

The questions of an army reserve and conscription, especially the latter, have greatly concerned Iraqi officials in recent years. The Shiah element and the British government have opposed conscription, the latter claiming that it is unwise and impracticable. The British have claimed that the tribes would not submit to it. The Sunnis, the nationalist leaders, and even recent prime ministers and the king have favored it. The Iraqis favor conscription on the grounds of an adequate and

22, *Report*, 1922-23, p. 112.

23. Twelfth Session, p. 185.



efficient army at least cost. They could then take over supreme military control. The excess voluntary offerings for enlistment during recent years would indicate safety in some reduction of soldiers' pay. It should be noted here that the finance mission recommended this as an economy measure in 1925 though as to "the policy of conscription" they could not recommend.<sup>24</sup> Compulsory service would be cheaper than voluntary services, as they saw it. Sir Henry Dobbs expressed (1926) the view that the Iraq government might enact a law exempting certain tribes or not applying to tribal areas.<sup>25</sup> British opposition was doubtless based on the fear that she would be involved in the military necessity of quelling tribal revolt against conscription. The League of Nations is, of course, opposed to compulsory military service. As Iraq approached release from mandatory control she looked with definiteness to ultimate conscription. Such a bill was drafted in 1931,<sup>26</sup> designed to conscript all males of nineteen years of age to serve two years, after which they would go into an eight-year reserve. In January of 1934 a law with similar provisions was actually proclaimed.<sup>27</sup> It should be recalled here that eligibility to League membership requires military strength to preserve order at home and repel attack from without.

The British military force in Iraq was unusual in that, since October, 1922, it had been under control of the royal air force. The effectiveness and economy of the scheme are both evident from the following statement of the High Commissioner:

"By prompt demonstration on the first sign of trouble carried out over any area affected, however distant, tribal insubordination has been calmed before it grew dangerous, and there has been an immense saving of blood and treasure to the British and 'Iraq governments. In earlier times punitive columns would have had to struggle towards their objectives across deserts or through difficult defiles, compelled by the necessities of their preparations and marches to give time for their opponents to gain strength. But now, almost before the would-be rebel has formulated his plans, the droning of the aeroplanes is heard overhead, and in the majority of cases their mere appearance is enough."<sup>28</sup>

He pointed out two weaknesses of the scheme, however. First, local officials were too prone to use the air service when police might more

24. *Report of the Financial Commission Appointed by the Secretary of State for the Colonies to Enquire into the Position and Prospects of the Government of Iraq*, cmd. 2438, p. 28.

25. Before Permanent Mandates Commission, Tenth Session, p. 74.

26. *Iraq Government Gazette*, July 1, 1934, pp. 279 ff.

27. *Ibid.*

28. *Report*, 1923-24, p. 27.

properly be used; and second, Iraqi troops were thus likely to go without sufficient testing. An Iraqi air force is being developed to take over the work of the R.A.F.

The following abbreviated table<sup>29</sup> will show something of the reduction of the British garrison in Iraq:

(Combatant Units Only)

Year	British and Indian Army	Royal Air Force	Iraq Levies
October 1921	17 Battalions 13 Batteries 4 Sapper and Miner companies 3 Armored Car companies	6 Squadrons became 4 7 in February, 1922, and 8 in May, 1922	Cavalry regiments 1 Pack battery 2 Battalions 3 Machine Gun companies
October 1930	Nil	4 Squadrons 1 Armored Car company	2 Battalions

British military opinion has come to regard the Iraqi soldier as a good fighter. They have during the last decade had considerable military experiences, particularly on the Turkish frontier, with the desert tribes on the Arabian border, and in connection with the repeated attempts of Sheik Mahmud to set up a local Kurdish government in Sulaimaniya.

### Police

The general maintenance of law and order rests with the police. And ".... few areas now (1931) remain without effective administration." The following give important facts as to development and shift to local control:

Strength of Police Force

	January 1, 1921	January 1, 1931
British Officers	22	12*
British Non-Gazetted Personnel	71	5†
Iraqi Gazetted Officers	2	59
Inspectors	92	229
Mounted Police	400	3762
Foot Police	2238	3924

\* 3 leave 1931. † 2 leave 1931

29. *Special Report*, pp. 47-8; data for intervening years will be found in this report.

The increase in numbers is due to extension in the service. By the end of 1930 British officers were employed solely in an advisory capacity, i.e., the entire executive control of the police was in the hands of Iraqi gazetted officers and inspectors.

The southern desert force, operating along the five-hundred-mile stretch from Trans-Jordan to Koweit, was equipped with fifteen cars and two mobile wireless sets. The several desert posts were garrisoned by some ninety men and another ninety camelmen served on roving commissions in this area.

Among the four thousand motor cars using Iraq roads in 1930 only twenty car holdups were reported. And it is said that the forty-six thousand passengers using the long desert route to Damascus during 1929 and 1930 met with no interference.<sup>30</sup> While security has improved and public confidence in the police increased it is said that "success of the police" will depend "on continuous effort" and "very careful supervision will always be necessary."<sup>31</sup> A police training school is reported as doing effective work. Sir Henry Dobbs said, February 15, 1933, that the Iraqi police were "perhaps the most efficient institution in Iraq."

### *Finance*

By treaty provision Iraq's entire financial interests were in the hands of Great Britain insofar as she chose to exercise control. The special finance agreement provided, too, that the entire cost of civil administration, including salaries to British advisers—other than the High Commissioner and his staff—should be borne by Iraq revenues. It also obligated Iraq to assume at the earliest possible date full responsibility for internal order and external defense. By this same agreement certain works of public utility, such as irrigation, roads, bridges, posts, telegraphs and telephones, which Great Britain had constructed for military or other purposes, were turned over to Iraq for the sum of somewhat more than ninety-four *lakhs*<sup>32</sup> which would bear interest at 5 per cent. There was also the port of Basra, valued at more than seventy-two lakhs, which, though it was to be turned over to a port trust and paid for out of port dues, could hardly be left out of the reckoning of future state burdens. In addition to the expanding costs of civil and military development there was also the as yet undeter-

30. *Ibid.*, pp. 55-8.

31. *Ibid.*, p. 60.

32. A *lakh* equals about £6,666⅔, or about \$32,443.

mined Iraqi share in the Ottoman debt to be apportioned among the lost Turkish territories. It was the contemplation of these burdens which came near wrecking the Anglo-Iraqi treaty before the constituent assembly in June, 1924. The hard-won and final conditional acceptance of the treaty was doubtless largely a financial consideration. These burdens might be undertaken were Great Britain to deliver Mosul with its great resources, including oil and its strategic frontier, thus effecting a great saving in the cost of defense.

This tense situation induced the colonial secretary, L. S. Amery, to appoint in March, 1925, the financial mission to make inquiry in Iraq regarding the steps which would make it "possible to balance the 'Iraq budget during the treaty period and thereafterwards," having regard to all the foregoing commitments. This mission, composed of the British financial expert, E. Hilton Young, M.P., and R. V. Vernon, the new British Iraqi financial adviser, later made the following statement as to Iraq's general financial outlook: "It emerged recently from a foreign domination that was hostile to progress. There has not yet been time for the secure establishment of public order. It lacks much of the apparatus essential for a developed state. It started without a financial balance. As an independent state it has to support an administration which is necessarily far more expensive than its former one, with all the institutions of self-government, and those higher standards in the discharge of state services which are inevitably required of a progressive government. The circumstances of the rebirth of the country have cast a heavy burden upon it in its infancy. History probably shows no instance of a state expected to do so much so soon."<sup>88</sup>

Their revenue, 75 per cent of which came (1925) from land, 31 per cent, and customs and excise, 44 per cent, depended upon development and development depended upon capital which the Iraqis did not possess. Foreign investors would not loan under an unstable government. Hence a rigid husbanding of revenues under a slow development must characterize the years ahead.

Iraq's share in the old Ottoman debt which was distributed, according to the Treaty of Lausanne,<sup>84</sup> among Turkey and the detached territories, was the subject of much negotiation. The matter was first determined by the Council of the Ottoman Public Debt, November, 1924, but was later revised downward by privilege of arbitration under

33. *Report*, p. 5.

34. See arts. 46-9.

the Council of the League of Nations.<sup>85</sup> Suffice it to say for our purpose that the Iraq government decided under British advice to meet this obligation mainly by turning over to Turkey Ottoman debt securities which could be purchased at "a fraction of their nominal value."<sup>86</sup> These purchases were met at a total cost to Iraq of £1,228,000 sterling. In addition to these securities, purchased with no more market disturbance "than 'rumors of an unknown buyer,'" Iraq would have to pay £383,000 which, through seven equal yearly installments of about £63,000 each, would be met by 1934.<sup>87</sup>

As for the public utilities bill due Great Britain under article 5 of the financial agreement, the financial mission recommended that it be canceled.<sup>88</sup> In July of 1926, following the agreement with Turkey, High Commissioner Dobbs was authorized to inform the Iraq government that this had been done.<sup>89</sup>

Title to the port of Basra still rested with Great Britain in 1932. The port trust to which it was to be transferred under article 10 of the Financial agreement was not yet created. The original bill, by virtue of nine years of port dues, had been reduced to approximately fifty lakhs. The treaty of 1930 provided for transfer of title to the government of Iraq on establishment of the port trust.<sup>40</sup>

Iraq railways are still under British title, but, in accordance with recommendations of the financial mission of 1925, as also of a British railway expert reporting in 1927, and as agreed recently between the two governments, they are to be transferred to a corporation which will become owner of the system and be held responsible for its administration. The railways have not paid interest on capital and the High Commissioner stated (1932) that they "will not be able to continue to function as a separate economic unit unless further capital is provided and the vital extension to Mosul is completed."<sup>41</sup>

The following table<sup>42</sup> (in lakhs of rupees) will reveal Iraq's financial status year by year to 1930:

35. See *Report*, 1925, p. 77.

36. *Report*, 1927, p. 9.

37. See *Report*, 1929, pp. 67-8, and *Special Report*, p. 127.

38. *Their Report*, Appendix, p. 59.

39. Tenth Session, Permanent Mandates Commission, p. 56; see also *Report*, 1926, p. 84.

40. *Special Report*, pp. 170-1; also treaty of 1930, cmd. 3627.

41. *Report*, 1932.

42. *Special Report*, p. 92. Provision for this final payment was contained in the budget for 1933-34 (*Near East and India*, November 16, 1933, p. 957).

Year	Expenditures	Revenues	Deficit	Surplus
1921-22	572.13	528.25	43.88	.....
1922-23	485.82	474.67	11.15	.....
1923-24	424.26	509.41	.....	85.15
1924-25	464.85	527.33	.....	62.48
1925-26	513.38	581.02	.....	67.64
1926-27	536.72	567.00	.....	30.28
1927-28	569.93	590.97	.....	21.04
1928-29	599.01	594.44	4.57	.....
1929-30	576.66	574.61	2.05	.....
	4742.76	4947.70	61.65	266.59
Net Surplus			204.94	

This surplus has gone mainly to the extinction of the Ottoman debt and as loans for railway development. The deficits of the last two above years are attributed to the notable decline in agricultural prices "which have not been compensated for by the increased production."<sup>43</sup> For the three subsequent years the accounts were: 1930, deficit of 33.69 lakhs; 1931, surplus of 31.62 lakhs; 1932, deficit of 21.71 lakhs.

But a marked change in the outlook for Iraqi government finance came in 1932. Rigid economies by the Sa'idi cabinet had ended the series of heavy deficits. Normal receipts began to exceed normal expenditures. And oil royalties, long anticipated, came due January 1, 1933.<sup>44</sup> Thus it is pertinently said, "To people of the West, accustomed to enormous debts, and since the war to unbalanced budgets, it is a glimpse of the unattainable to read of a country which has practically no external or internal debt, no floating debt and a balanced budget to boot. Such is Iraq's happy situation."<sup>45</sup>

In the light of difficulties above enumerated it would seem that the present condition of Iraq finance reflects distinctive credit upon both tutor and pupil. One can hardly refrain from noting that so far as budgetary balances are concerned Britannia does better for Iraq than for herself.

The following reveals decline in tutorial responsibility in financial administration:<sup>46</sup>

43. It will be recalled that agricultural produce is gathered for revenue.

44. See under "Oil" below.

45. *Near East and India*, November 16, 1933, p 953.

46. *Special Report*, p. 86.

# British and Indian Staff of the Ministry of Finance

Gazetted Officials	December 1920	December 1925	December 1930
<i>British</i>	9	8	4
<i>Indian</i>	10	2	..
	19	10	4
Non-Gazetted Officials			
<i>British</i>	1	..	..
<i>Indian</i>	66	4	..
	67	4	..
Totals	86	14	4

Iraqi revenues come mainly from the following sources: Customs and excise; agricultural produce, natural produce (forests, reeds, and mats); animals (sheep, goats, camel, buffaloes, and fish); minerals (mainly oil, juss, bitumen, etc.); and rents and tolls.

Customs and excise account for over 40 per cent of the entire revenue. Agriculture and livestock are, in order, the next most important sources. Other items are of minor importance.

It is evident that taxes fall largely on the cultivator of the soil, on the tribesman with his herds, and on the consumer of imported goods. This matter has been rather thoroughly considered by the Permanent Mandates Commission.<sup>47</sup> The British representatives, first, Sir Henry Dobbs, and then Mr. Bourdillon, explained the great difficulties of Iraqi taxation. Iraq was not an industrialized country and did not lend itself particularly to property and income taxes. Laws for such taxes had been enacted but their enforcement had not been successful, especially as to the income tax. Titles were too insecure and incomes comparatively few and elusive. The great mass of the land was held without titles. It had been a great problem for the Iraqi government to settle titles where no deeds existed. Until titles were settled a cadastral survey could hardly be carried out.

It was very desirable, on the other hand, that assessments should be fixed on a definite money basis. The uncertainty of agricultural yields as well as the uncertainty of prices made tremendous budgetary difficulties. Periodic remeasurements and reestimates under the present system were costly and subject to abuse. Cash payments would also put a penalty on lazy cultivators and shiftless landlords. But while Great Britain looked forward to an ultimate solution of the problem as here indicated it was not to be expected any time soon. She had

47. See Tenth Session, pp. 69-70; Twelfth Session, pp. 18-9; Sixteenth Session, p. 37.

gathered much information as a basis for the new scheme but much was yet to be done in this regard and the habits of the people change slowly.

Taxation in former times was one of haggling and bargaining between the government representative and the sheiks. The officer was likely to ask for many times what was expected. Haggling might continue far into the night, but usually it ended by the sheik paying only a small fraction of what was first asked. A young British collector in 1919 spent seven days measuring the rice fields of one rich owner. He reports the landlord's agent as very contentious. He "was trying to cheat us, always wrangling about ten square yards or less, always whining to me with his soapy compliments." In this case, however, the year's tax amounted to £10,000.<sup>48</sup>

The recent financial embarrassment of Iraq's government is due to the fluctuating element of prices in her revenue system. Agricultural revenues fell off twenty lakhs, 1929-30, owing to the fall of agricultural prices, and the general economic depression was reflected in a decline of thirty-three lakhs in the estimate of customs for 1930-31.<sup>49</sup>

The Department of Customs and Excise, separate from the Department of Revenue, is more largely staffed by British, in proportion to its size, than any other. But the number of British and Indian officials here fell from forty-seven in 1921 to nine in 1931, with no Indians remaining. The number of Iraqi officials in this department grew during the same period from 518 to 909. Since the middle of 1929 this department has been administered by an Iraqi director. While it is admitted that the succeeding period has been a difficult one, owing to "many new tasks" and the application of new legislation, still "the results .... have been somewhat disappointing. There has been a tendency to revert to prewar standards in revenue administration."<sup>50</sup>

Iraqi leaders have looked forward with great anticipation to the realization of government royalties from oil. The gratifying royalties received by Persia have stimulated the Iraqis in this regard. Recent years of financial distress have increased this desire for oil development.

The question of an Iraqi national currency has perturbed the rising national pride of the new state since the advent of the alien Indian rupee. A scheme based on the English sterling was put forward in 1926, but the London board of control going with it was another alien element hardly less objectionable. A national bank with a monopoly

48. James S. Mann, in *An Administrator in the Making*, p. 164.

49. *Special Report*, pp. 102 and 114.

50. *Ibid.*, p. 106.



of issue was proposed in 1927 but had to wait, of course, upon a currency system. A system with a standard coin called a *dinar* went into effect in April, 1932. This unit, based on gold through sterling exchange, is divided into one thousand *fil*s (the equivalent of a pound). By the official rate of conversion seventy-five *fil*s equals one rupee. The system is under the general control of a currency board located in Great Britain and composed of British and Iraqis.<sup>51</sup>

### *Economic Development*

Trade and industrial enterests, especially the former, were probably the material basis for the greatness of the Iraqi country in the days of the Abbassids. These interests can hardly be expected to develop into a factor of such relative proportions in the life of modern Iraq. The limited territorial bounds of the new state and the keen economic competition among three score other and stronger states of the world leave nothing to promise her former economic dominance.

Economic development has had to wait upon political institutions and the establishment of internal security. Recovery from wartime devastations, establishing of transportation facilities, repairs and extensions of irrigation, sanitation, health, and other improvements were all items of outlay before real economic advance would be evident. Slowness of this development was the concern of the Permanent Mandates Commission<sup>52</sup> since 1926. By that time the evanescent boom days due to expenditures on behalf of the British army had long since gone and the settlement of the trouble with Turkey had left all concerned rightfully expectant of economic progress. In their questions put to Dobbs and Bourdillon, representing Great Britain, the commission's interest ranged from general economic conditions, to various aspects of trade, to taxation, to agriculture, to irrigation, etc. One member went so far as to remind the mandatory power that Sir William Willcocks had said respecting irrigation in Egypt, that "not a drop of Nile water should be allowed to reach the sea without having done its work."

### *Irrigation*

The Turks had, just prior to the war, undertaken, under a scheme outlined by Sir William Willcocks, certain large irrigation works, including the Hindiya Barrage and the Habbaniya Reservoir. The former of these projects, on the Euphrates, had been completed by 1914 but it had been poorly constructed and its repair was a part of the agricultural

51. For first report by this board see *Near East and India*, January 4, 1934, p. 15.

52. See Tenth Session, pp. 66-7; Twelfth Session, p. 32; Fourteenth Session, p. 164.

development by the British during the war. This and other irrigation projects had been undertaken as adjuncts to the military victory.

Following the establishment of the provisional government there was an increasing demand from the public for the execution of various irrigation schemes which were represented as promising great returns on the investments. Beginning with 1924 certain agricultural development companies were formed and the government was asked to grant concessions or land with a view of irrigation themselves (or by government aid) for growing cotton, wheat, or barley, by large-scale use of machinery. Customs of the people and certain laws, along with other difficulties, have militated so far against any great measure of success by these organizations.<sup>53</sup>

In the meantime the Department of Irrigation has been spending annually varying sums upon irrigation—forty-six lakhs in 1921, twenty-one lakhs in 1930, and fifteen lakhs in 1931. Egypt, a model in many respects for Iraq, spends a much larger percentage of her total budget for irrigation, notwithstanding that there material and labor are cheaper.<sup>54</sup> Figures for the 1931 staff in this department show a larger retention of British and Indian personnel than in most other services.

Besides flow irrigation, there is lift irrigation in which pumps are used to raise the water to higher levels than that of the rivers. Flow irrigation is used mainly on the Euphrates and the Diyala, while lift irrigation is used on the Tigris, whose swifter current has cut a deeper channel through the plain. The increasing availability of oil as fuel during the mandatory period has been attended by a great expansion in the use of pumps for lift irrigation. By the end of 1930 there were over twenty-five hundred such pumps in use, representing an outlay of over two million pounds sterling and an increase under cultivation of more than a million acres.<sup>55</sup> This is an expensive type of irrigation.

Among the date gardens of the Shatt-el-Arab a third type of irrigation is used—tidal irrigation. "From Fao to Qurna the date gardens are irrigated twice daily with fresh water . . . owing to the action of the tides in the Persian Gulf, which periodically back up the fresh water in the Shat-Al-Arab and force it into the numerous creeks and channels which intersect the whole date belt. Thus all that is necessary for the effective irrigation of the Basra date gardens is the initial

53. See *Reports*, 1923-24, pp. 117 and 164; 1925, p. 69; 1926, p. 66; 1928, pp. 65 and 162; 1929, p. 160.

54. *Special Report*, p. 182.

55. *Ibid.*, p. 209.

digging and the periodical cleaning of the creeks and channels. The tides do the rest."<sup>56</sup>

Another improvement which is inseparable from the development and maintenance of an irrigation system for Iraq is that of drainage. As already stated great areas, particularly along the lower Euphrates, have for centuries been swamp lands. Other inseparable problems are sanitation, health, and the elimination of the mosquito.

### *Agriculture*

Probably nothing has given the Two Rivers country more fame than has the reputed fertility of its soil. We have referred to ancient reports of enormous yields. "Tickle the surface and it smiles a crop." The fame of Iraq soil has doubtless filled many concerned in her development with a somewhat oversanguine agricultural expectation.

The British war effort in Iraq included extensive agricultural undertakings. An experimental cotton farm under a British cotton expert from the Indian Department of Agriculture was established as early as 1918. By the end of 1919 there was under civil administration an agricultural department with a British director, two deputy directors, a British chemist, a British entomologist, four Indian scientific assistants, and twelve British district officers. Five district experimental farms were in operation with special attention to cotton. There was considerable curtailment of activities, however, with transfer to the Iraqi government. In fact the department has operated since 1921 with a constantly diminishing budget and staff. The financial mission in 1925 recommended economies in this field. From 1922 to 1931 the agricultural budget fell from Rs. 6,87,000 to Rs. 2,54,200, and the staff fell from seven British and twenty Indians, to two British, one Indian, and eight Iraqis. This situation was attributed to frequent changes of policy with political changes. The Department of Agriculture is thought to have suffered more than other departments, "since in an agricultural country everyone regards himself as an expert in agriculture and has his own ideas on the policy to be adopted."<sup>57</sup> It had been the purpose of the British director to introduce various agricultural improvements, research for which had been done early in the period. The grains of Iraq had been of notoriously low quality. By breeding and selection superior grades of wheat and barley had been propagated. Certain mechanical aids for the enlargement of crop areas had been tested.

56. V. H. Dowson, *Dates and Date Cultivation of Iraq*, p. 20.

57. *Ibid.*, p. 191.

Similar results had been obtained in better methods of cultivating and irrigating cotton. Livestock of foreign breeds, especially among sheep, were introduced. Effort had been made to eliminate the traditional system of share labor for one of paid labor; the former stood in the way of the introduction of many other agricultural reforms. Farming in large scale units was recommended in certain projects. But financial means for executing this program was greatly curtailed. Demonstration and research have both lacked adequate support, and yet agriculture has been regarded as Iraq's most splendid hope. The Department of Agriculture, which had been under the Ministry of the Interior since 1920, was, in 1927, absorbed into the Ministry of Irrigation and Agriculture and, in 1931, was transferred to the new Ministry of Economics and Communications—a political buffeting about hostile to any continuity and efficiency of development.

The feature of agricultural production in which the British have apparently shown most interest has been cotton. The British Cotton Growing association became sufficiently interested to send a deputation to study cotton conditions in Iraq in 1919. They erected in 1920 a ginnery which by 1925 had been expanded to a capacity of ten thousand bales annually. After much experimentation with American and Egyptian varieties, the American upland variety, a short staple cotton, proved most suitable to Iraq's long and rigorous summers. The High Commissioner stated in 1926 that "the most hopeful aspect of cotton cultivation in Iraq at the moment is that the cost of production is probably lower than in America."<sup>58</sup> The cost of production has gone down with experimentation and the experience of cultivators. As early as 1923 out of tests with "sixteen varieties eleven gave an average yield on six plots exceeding two thousand pounds of seed cotton per acre."<sup>59</sup>

In the autumn of 1927 King Feisal visited the Lancashire cotton mill area in England to study the industry. The British Cotton Growers association and others seem to have given him much attention and to have told him that England expected great things of Iraqi cotton culture. While in Manchester he took his fling at the purchase of one hundred bales of American cotton for January delivery.<sup>60</sup>

His Majesty was an enthusiastic farmer with three large estates, two near Bagdad and one near Khanaqin. In 1928 he planted four hundred acres to cotton which yielded five hundred pounds of lint cotton an

58. *Report*, 1926, p. 58.

59. *Report*, 1923-24, p. 95.

60. *London Times*, November 10, 15, 23, 24, 1927.

acre. He is reported to have planned to put out six times this acreage in 1929.<sup>61</sup>

The total cotton production in bales for the years noted was:<sup>62</sup>

1921	60	1926	3500
1922	300	1927	1800
1923	1100	1928	5202
1924	2400	1929	4749
1925	2540	1930	3137

Iraq's new agriculture has had to contend not only with lack of budgetary support, but with lack of experience in scientific treatment in general. Dust storms, hot winds, lack of water, locusts, and other pests, fluctuations of prices, especially the slump of recent years, have all contributed to her difficulties in getting a start. Various large-scale projects have fallen into bankruptcy. Wheat, barley, oats, linseed, silk, flax, cotton, and dates have all attracted persons and capital to experimentation and project. But no great popular enthusiasm for agriculture is in evidence. "Probably the able-bodied male agricultural population of the country is less than five hundred thousand." An agricultural college was set up, but "sons of farming landowners and of landowning tribal shaikhs could not be attracted to join, although it was chiefly with a view to affording them an opportunity to acquire a knowledge of modern agricultural methods that the college had been started. The offer of free education, food, quarters, and recreation met with no response." The only way by which such education could be taken to the people was to draft certain students from the teachers' training college to take courses at the agricultural college and then teach it to the village boys in the elementary schools.<sup>63</sup> The agricultural college closed in 1930. Even the production of cotton is now disappointing, for it is doubtful if it can be grown with profit at prevailing prices.<sup>64</sup> Destruction by locusts and bollworm are tremendous adverse factors.

Sir Hamilton E. Young in his *Report on Economic Conditions and Policy Respecting Iraq*<sup>65</sup> listed the following handicaps to agriculture: (1) geographical isolation of the country; (2) incompleteness of her railway system, especially as affecting the Mosul area; (3) lack of roads and bridges to feed the railway and river transportation systems. He sees the last of these as accounting for fully half the cost of grain

61. *International Cotton Bulletin*, April, 1929, p. 428.

62. *Special Report*, p. 195.

63. *Ibid.*, pp. 194 and 198.

64. *Ibid.*, p. 210.

65. 1930, p. 173.

at the local market. It may be said here too that rail connection with Persia and with the Mediterranean might bring foreign market possibilities for Iraq's agriculture. Persia would thus be less dependent upon Russia and, hence, also a possible market for Iraq's future industrial products. These developments in turn might produce an Iraqi non-agricultural population to consume her future excess agricultural products.

However, as Iraq's future is wrapped up in agriculture much will depend upon the outcome of experiments now in progress with a variety of crops in large-scale mechanized farming.<sup>66</sup> The recently initiated five-year plan of public works, including extensive irrigation projects, roads, etc., should have an important bearing on this problem.

### *Commerce and Industry*

The following table<sup>67</sup> shows the imports, exports and goods in transit for the years specified:

Year	Import Rs.	Export Rs.	Transit Rs.
*1920 (calendar year)	23,27,24,204	10,38,08,085	.....
*1921-22	19,39,46,881	10,59,50,841	.....
*1922-23	16,78,22,168	10,78,99,481	.....
*1923-24	18,14,84,113	13,57,91,335	.....
*1924-25	19,12,40,989	14,20,08,617	.....
1925-26	10,78,47,633	5,02,93,783	7,06,34,192
1926-27	10,59,61,099	4,60,89,229	5,71,53,477
1927-28	10,55,57,435	6,15,40,505	5,88,11,882
1928-29	9,50,05,570	5,57,40,974	5,85,27,046
1929-30	9,82,32,840	5,63,38,285	5,13,23,901

\* Includes transit in both imports and exports.

As between exports and imports year by year there appears from this table a considerable excess of the latter, though that excess decreases as we approach the present. Not included in this table are exports and imports of specie and also invisible exports and imports of no inconsiderable sums. Iraq's profits from the Persian transit trade and the money spent in Iraq by foreign pilgrims visiting Iraqi shrines are only two of the invisible class which may be mentioned as figuring significantly on the export side. According to the Iraqi Ministry of

66. See *Near East and India*, August 31, 1933, pp. 715-7.

67. *Special Report*, p. 216.

Finance, if all these items were applied to the foregoing table, the result would affect the final net trade balance as follows for the years specified:<sup>68</sup>

	Lakhs
1926-27	+23.89
1927-28	-89.20
1928-29	+35.92
1929-30	-12.52

For the ten-year period ending, 1930, Iraq's exports, in lakhs of rupees, have totaled the following for items named: dates, 1735.5; grain, pulse and flour, 895; raw wool, 527.5; hides and skins, 267; intestines, 188; licorice root, 51; and raw cotton, 33. It is said that Iraq supplies over 80 per cent of the world's demand for dates. The other important element in Iraq commerce is her entrepôt trade with Persia. In 1924 Iraq reduced from 1 per cent to 5 per cent ad valorem customs charges on this transit trade thus bringing this charge within the Barcelona convention for covering supervision and administration.

The British finance mission, already referred to, had the following to say, 1925, about this trade. "The country is much dependent for its commercial prosperity on its transit trade with Persia for which Bagdad is the emporium and the mart. We estimate that about half of the capital employed, and of the profits earned in commerce, are employed and earned in that trade."<sup>69</sup> While the avenues of Persian trade via Russia were closed Iraq profited greatly. These were again opened by 1924 and with Russian subsidies aiding in the trade competition. Jewish and Christian merchants report that Persian dislike for the Sunni king of Iraq has been reflected in this trade. Iraq has been greatly concerned over the decline and possible ultimate loss of this trade. Persia's recent motor road development from Teheran via Hanadan to the Persian Gulf (1928) and her projected railway to the same point are expected eventually to end much of this trade. This situation, however, as well as the entire economic life of Iraq, would be greatly affected by the opening of the proposed railway connection between Bagdad and the Mediterranean Sea. This Persian trade includes mainly sugar, tea, textiles and other manufactured goods—much the same as Iraq herself imports. In 1931 Persia made her foreign trade a government monopoly with a view of meeting competition and balancing accounts in this field.

As previously stated, the Anglo-Iraqi treaty of 1922 permitted no commercial discrimination in favor of the mandatory power. It is said,

68. *Ibid.*, p. 215.

69. *Their Report*, p. 19.

"No advantages to goods of British manufacture have ever .... been permitted in the Iraqi customs tariff."<sup>70</sup> This principle is to continue under the postmandate régime.

Iraq's manufacturing industries so far are of the cottage variety and archaic in methods. Some efforts have been made recently to induce capital investment in large-scale enterprises with a measure of success in spinning, weaving, manufacture of cigarettes, soap, etc.

## Oil

As we have seen, the new Iraqi government inherited the former Ottoman Empire's obligations to the Turkish Petroleum Company regarding concessionary rights for the exploitation of Mesopotamian oil. The struggle for the "open door," following the San Remo agreement of April, 1920, modified the plans of this company for an exclusive exploitation over the Bagdad and Mosul vilayets. It was not until March 14, 1925, that a convention between Iraq and this company was concluded.<sup>71</sup>

This convention, which was to run for seventy-five years, was based on the so-called plot system with royalty to the Iraqi government. The company was to be limited to the exploitation of twenty-four rectangular plots of eight square miles each, to be selected after tests had been made in the entire concession area. During 1927 drilling was started at eight different locations and by October 14 an important gusher had been brought in at Baba Gurgur, near Kirkuk. Experience proved that the plot system was not satisfactory from the standpoints both of getting wide geological knowledge of the field and of economies in production, and a new convention was attempted. In the meantime the company had spent, up to the end of 1930, some four million pounds sterling and had drilled a total footage of 115,000. At the nineteenth session of the Permanent Mandates Commission cause was sought for delay in the development of Iraq's oil resources. The main reason given for the delay, which is admitted, is the plot system.<sup>72</sup>

A new agreement<sup>73</sup> was signed March 24, 1931. The name of the company was changed, 1929, to the Iraq Petroleum Company. The company is now given the exclusive right to exploit all oil resources in

70. *Near East and India*, November 16, 1933, p. 957, in extract of report (of August, 1932) by Commercial Secretary of British Embassy at Bagdad.

71. For this agreement see *Special Report*, Appendix L (2), pp. 303-15.

72. *Special Report*, p. 220.

73. *Ibid.*, Appendix L (2), pp. 216-323.



Iraq territory east of the Tigris River, excluding the Basra vilayet and the transferred territories (art. 3). The plot system is thus abandoned. A pipeline to the Mediterranean was to be built before the end of 1935, to have a capacity of not less than three million tons a year (art. 6). Provision is made for one pipeline, carrying at least 50 per cent of the oil, to reach the sea on the Bay of Acre, while a second may be built through Syria.

Under other terms of this agreement large royalties are to be paid Iraq. The British representative stated before the Mandates Commission that £400,000 had been paid her, May 21, 1931.<sup>74</sup> The High Commissioner says two payments for the year 1931-32 (August, 1931, and February, 1932), after subtracting the 10 per cent due Turkey (under treaty agreement) amounted to £870,000.<sup>75</sup> The same source brought in for 1932-33, £524,397.<sup>76</sup> For this latter year the British Oil Development Company, with a concession west of the Tigris, paid Iraq £140,000.<sup>77</sup>

The Anglo-Persian Oil Company, by virtue of a concession obtained from Persia (1901) carrying the right to exploit oil resources throughout Persia, now possesses oil rights in certain territories transferred by Persia to Turkey just before the war. These rights had been acknowledged by Turkey in 1913. An agreement was made between the company and Iraq in 1925, and modified in 1926, providing, among other things, as follows: A subsidiary company, the Kanaqin Oil Company, was to be created to develop oil resources in the transferred territories; a refinery was to be erected to supply the Iraqi market; right of transit of either Iraqi or Persian oil through Iraq to the sea; a fixed royalty instead of a profit-sharing royalty as provided for in the original concession; an extension of the period of the old concession from sixty-four to ninety-nine years; and oil was to be sold in Iraq for considerably less than prices then prevailing.

The Kanaqin company has found oil in two fields, at Chia Surkh and Naft Khana. From the latter Iraq's oil needs have been supplied since the construction of the company's refinery in 1927 at Kanaqin. The two fields of Baba Gurgur and Naft Khana produced, in 1930, 122,000 tons.

For a time Iraq was mainly interested in oil development for the home market only, but she later urged Great Britain, France and the

74. Minutes of the Permanent Mandates Commission, June 18, 1931, p. 118.

75. *Report*, 1932, pp. 29-30.

76. *Near East and India*, November 16, 1933, p. 957.

77. *Ibid.*

United States to take her production to enhance her revenues. The mandates commission became impatient for more rapid development. One of its members suspected that the Anglo-Persian Oil Company preferred to exploit the Persian field first since her concession there is shorter than the one held in Iraq. The approaching completion of a pipeline to the Mediterranean is evidence, however, not only of immediate expansion but of great faith in future Iraqi oil production. It is said that this pipeline project represents "the joint efforts of three nations and seven great petroleum companies, coöperating in the Iraq Petroleum Company. The double pipeline now in course of construction from Kirkuk to the Mediterranean measures in all 1,150 miles—to Haifa 618 miles, and to Tripoli 531." For the first 150 miles, to Haditha, the two pipelines follow the same route, and this section was completed by August, 1933; the two pipelines then bifurcate five miles west of Haditha.<sup>78</sup> The same account expressed the hope that oil might flow to the sea by September, 1934. Cost of these lines has been estimated at five hundred million dollars.<sup>79</sup>

Though other oil companies, already referred to, had been assigned shares in the exploitation it is said that "until a settlement was reached with the Iraq Petroleum Company the Iraqi government were not in a position to treat with others."<sup>80</sup> Overproduction and the consequent slump in oil prices has doubtless been an important factor in the recent delay in this exploitation. French demand for a branch of the proposed pipeline to come to Beirut is renewed evidence of Anglo-French rivalry in the Middle East.

### *Railways*

Since the railways were transferred to civil administration, April 1, 1920, improvements have taken the form of better roadways, bridges, stations, offices, rolling stock and other equipment rather than in extension of lines. At the beginning of the period "the rolling stock was a heterogeneous collection of such second-hand or worse vehicles as could be spared from the Indian railways." There were no permanent bridges and offices and quarters were mainly tents. The revolt of 1920 resulted in much destruction to railway property. It was in 1922-23 that sweeping changes were instituted looking to the reformation of the system from a military to a commercial basis. Repatriation in the

78. *Ibid.*, August 31, 1933, p. 719.

79. *Business Week*, September 21, 1932, p. 22.

80. *Special Report*, p. 223.

meantime had made it possible to reduce the British and Indian staff from 21,000 in April, 1920, to 2,376 at the end of March, 1923. After a trial transfer of the railway system from the British to the Iraqi government in 1923, a definite provisional transfer was made in 1924. Since that time a number of separate loans for extensions and improvements have been made by the Anglo-Persian Oil Company and the Iraqi government. The financial mission of 1925, and General Hammond sent to make a special study of the railways in 1927, both have found the system economically run. Both also recommended that the system be turned over to a corporation which would become the owner responsible for its administration. This disposition of the roads only awaits consummation of existing treaty-agreements. This system as it now stands is in two sections, one on each side of the Tigris River with only one connection between them—a wagon ferry at Bagdad. The outstanding railway needs include a permanent bridge connection of the two sections and an extension of the line from Kirkuk via Mosul to the Turkish railroad near Nisibin. This latter would provide connection with Turkey and Constantinople. At present Iraq has no railway crossing her border. On this point Sir Hilton Young said that a railroad to Haifa would "set the tides of modern life running straight through Iraq."<sup>81</sup> There has been considerable talk of building such a railway paralleling the pipeline to the Mediterranean. Air and motor transport, especially the latter, are in process of rapid development. Before the war Iraq had one short line between Bagdad and Samarra. Now her system of between nine hundred and a thousand miles has a record of an average gross yearly profits, for the eight years since 1923, of Rs. 12,92,000. As the freight tonnage and number of passengers carried have gradually increased the rates for both have been reduced. While the total railway staff, at the end of April, 1931, was more than 93 per cent Iraqi, the official staff was forty-four British and four Iraqi. These roads are still mainly under British control.

### *Education*

Education was one of the first concerns of the British following their military occupation. Iraqi leaders have from the first of their efforts at self-control regarded education as the mystic cure for all their social ills. Strange as it may seem, their British mentors accuse the Iraqis of suffering from an over-interest in education. They think of it as something to be put on like a coat. In this matter they think quantita-

81. For his report see *Report on Iraq* for 1930, Appendix 2.



tively, not qualitatively. Their education is, in content, artificial, and in process, formal. But their general cultural background and present situation are conducive to such interpretation and attitude.

There exists at Bagdad, whence comes the political leadership of the new state, something of an exuberant fascination for a hazy traditional Abbassid culture long since vanished. An attitude and pose resting upon a vague sense of the actual possession of such culture seem not altogether wanting. Now the spirit of a belated renaissance stirs in the land as the leaders contemplate a place in the midst of a world vogue of specialized technique and higher education. But the Turk, the Iraqi's former mentor, having no culture of his own, assumed one as he took over the French model which has during recent centuries been offered the Iraqis in the typically formal Turkish style. Out of this background of pride in a cultural past, which now is a mere ghost, and this Turkish formalism, which is recent and very real, the aspiring Iraqi looks with impatient haste to the quick removal of the cultural disparagements separating himself from men in other lands. The Iraqi educational enthusiast is destined to disillusionment in his grasp for education which can be attained for the young nation, at least, only through the gentle means of cultural growth. But Iraqi spirit and thirst for culture are laudable.

The elimination of the alien Turkish as a medium of instruction and the substitution of Arabic has disposed of one formality and brought into the educational situation a natural stimulus of great psychological effect. It is unfortunate, however, that, in spite of this stimulus, the difficulties of the Arabic language itself and its limited cultural range remain great handicaps to Arab education. Arabic having been essentially a vernacular language for centuries, has little ready adaptability to the complex world today. Its traditional inertia is adverse to the dynamic environment in which the Iraqi aspires for position. Iraqi education, especially in its higher forms, is handicapped by a lack of flexibility in Arabic grammar. Other educational difficulties may be listed as follows:<sup>82</sup> (1) The prevailing idea that education is essentially a study of the Arab language. Too little time is left for other things. (2) Shift from the Turkish to the Arabic medium necessitated the discarding of old teachers and the training of new. (3) Widespread illiteracy and low cultural standards make it very difficult to provide for the higher education wanted by the few. Higher education has mainly been sought abroad, frequently at government expense. (4) Racial

82. See *Special Report*, pp. 224-6, and *Report*, 1925, p. 141.

divisions requiring provision for minorities; geographical divisions of plain and mountain folk; religious divisions of Sunni and Shiah; economic and social divisions of merchant and agriculturist, and of townsman and tribesman.

The shift from British to Iraqi control was made more quickly and completely in the Ministry of Education than in any other ministry or department. The change of executive officials in this field was completed in 1922, and since 1923 no administrative order has been issued by a British official in this ministry.<sup>83</sup> For the most part, the Iraqis have proved worthy of the trust.

The schools of Iraq are either government or non-government. The latter include:<sup>84</sup> (1) The Koran or *mulla* schools, some three hundred (1925) in all, each one under a mulla (a teacher learned in Islamic law) who gives individual instruction in the Koran. All that the High Commissioner can say "in favor" of these schools is that "they keep alive the class of mullas at the expense of the eyesight, health and intelligence of their pupils,"<sup>85</sup> About five thousand pupils attended these schools in 1931. (2) Community schools maintained at the expense and under the management of the different communities of Jews, Chaldeans, Syrian Catholics, old Syrians, Nestorians, and Armenians. These were formerly located for the most part in northern Iraq where Christian groups are most prevalent, but under the new régime many have been made government schools by their adoption of the government primary syllabus and by their staffs being absorbed into the group of teachers. (3) Missionary schools which are run by the Dominicans in Mosul, by the Carmelite brothers and sisters in Bagdad and Basra, by the Protestants in Bagdad and the American Presbyterians in Basra and Mosul. These, if good enough, receive government aid. (4) A few privately founded schools, mainly inferior in quality.

In all these, and in government schools also, the language of instruction is Arabic, except that in places where the language of the majority is other than Arabic, the vernacular is the medium, and that in a few missionary schools, and possibly in a few community schools, French is the chief medium. There were, in 1931, in the Bagdad area three government schools in which Jews predominated and three in which Christians predominated. In the Mosul area there were one government Jewish school and twenty-seven government Christian schools. Teach-

83. *Special Report*, p. 224.

85. *Report*, 1923-24, p. 202.

84. *Report*, 1923-24, pp. 202-3.

86. *Special Report*, pp. 229-30.

ers in these are appointed by the government with the approval of the religious heads of the several communities. All these schools use the government syllabus and teach the religion of the majority of the pupils, the teachers being trained in their own religion. If a community wants a purely religious school no government permit is required.

No attempt is made to furnish separate intermediate and secondary schools for the sects. These schools are attended equally by the different sects.

There were in 1931 thirteen government Turkish schools and forty-one government Kurdish schools. The latter have been handicapped from the lack of a real literary Kurdish language and the lack of textbooks. Translations have now been made but the language is distinctly inadequate to secondary and higher education. The teachers in the Kurdish schools are almost all Kurds and all speak Kurdish.<sup>86</sup> Where Arabic is not the medium of instruction it is taught as a foreign language. The Kurds resent the teaching of Arabic in their schools as a second language. English is taught in most government schools as the second language. The criteria for government grants-in-aid to non-government schools are "the needs of the school, its standard, its usefulness, and the closeness with which it follows the government syllabus."<sup>87</sup> There will thus be no little tendency for these schools to conform to the government primary school syllabus. It is to be noted, however, that government schools are inclined to be excessively nationalistic, to overemphasize the Arabic element in education to the neglect of other and often more important matters. Graduates of government schools are projected towards government jobs, which seem fairly restricted to such graduates. Non-government schools fill most of the business and commercial jobs, and, hence experience a pull in this direction. This situation provokes the British tutor's severe criticism of the government schools for "the products of such a system may be good Arabs, but cannot become useful Iraqis."<sup>88</sup> It is said that "the present secondary syllabus reflects the views of the more narrow-minded political patriots. What is needed is a syllabus that prepares boys for the struggle of life, not for the shelter of a government office."<sup>89</sup> As government jobs become more completely filled, save for replacements and expansion, the state will have to absorb this government-school output, which is ill-prepared for life.

In 1913 there were in Iraq 160 primary schools with 6,000 pupils; in 1920 there were 84 schools with 6,737 pupils; there were, in 1931, 247

87. *Ibid.*, pp. 228-9.

88. *Report*, 1929, p. 128.

89. *Ibid.*

boys' primary schools with 24,900 pupils and 44 girls' primary schools with 6,000 pupils. The men and women teachers in 1931 numbered 1,350 five-sixths of whom had been trained in the training colleges.<sup>90</sup> Attendance is voluntary.

The curriculum covers eleven years of training, six years in the primary and five in the secondary fields. The primary course is divided into two periods, the first four years constituting one, and the fifth and sixth years (which are regarded as supplementary), the second. The secondary course is also divided into two periods, the first three years constituting the intermediate schooling. This elaboration of the system has evolved with the ten years of experience and as the educational growth of the country called for different levels of gradation.

One of the main problems has been to provide Iraqi teachers. There has been a special effort to make the teacher's career attractive. Doubtless many enter the profession because of the "comfortable maintenance during the period of training for that career." This included in 1927, free instruction, free board and lodging, free clothing and pocket money to all pupils of the training college.<sup>91</sup> Though teaching is an honored profession in the East, the low level of character among schoolmasters receives no little criticism. The training college gives a four years' course to graduates of the primary schools as preparation for teaching in the primary schools, and a two years' course to the graduates of the secondary schools as preparation for teaching in the secondary schools.<sup>92</sup> The dearth of teacher material has, especially in earlier years of the mandatory period, compelled selection of many teachers from foreign lands. These have come mainly from Egypt, Syria, especially the American University of Beirut, and Europe.

The problem of higher education has been met chiefly by sending students abroad to study at government expense. These have gone for the most part to the universities of Egypt, Syria, Great Britain, Germany, and the United States. In 1931, 178 such students, both men and women, received such benefit.<sup>93</sup> Local efforts at schools of law, medicine, engineering, a national university, etc., have met with comparatively little success because of the generally low standards of education and the lack of sufficient demand and support.

The following table<sup>94</sup> gives important educational statistics for Iraq:

90. *Special Report*, pp. 224-5.

91. *Report*, 1927, p. 152.

92. *Reports*, 1926, p. 124, and 1927, p. 152.

93. *Special Report*, p. 226.

94. *Ibid.*, pp. 231, 232.



Year	Education Expenditure Lakhs of Rupees	Percentage of Education Budget to Whole Budget	Elementary and Primary Schools		Secondary and Intermediate Schools	
			Schools	Pupils	Schools	Pupils
1921	19.36	3.3	84	6,743	..	.....
1922	19.94	4.1	151	15,275	4	.....
1923	18.15	4.0	173	17,235	4	233
1924	22.13	4.59	198	18,558	4	326
1925	23.48	4.43	221	20,654	5	583
1926	26.93	5.2	228	22,712	8	729
1927	27.42	4.74	249	24,170	11	1,086
1928	32.01	5.33	264	26,706	13	1,322
1929	37.18	6.42	271	28,103	13	1,388
1930	40.00	7.51	291	30,888	15	1,863

## *Health*

One of the greatest British services to the Iraqis has been in the field of health. It has applied to plants and animals as well as to the people and has been essentially an educational service. We have already seen something of the necessary connection between this service and the success of the army of occupation. The Iraqis especially, but also the world at large, should be convinced of the concrete and material benefits from this change of masters. And would not the results more than pay for the outlay?

The mandatory ideal made it appropriate that the first Anglo-Iraqi treaty, 1922, should obligate the king of Iraq to "coöperate, insofar as social, religious and other conditions may permit, in the execution of any common policy adopted by the League of Nations for preventing and combating disease, including diseases of plants and animals."<sup>95</sup>

The British government has found that "owing to the general conditions of the life of the mass of the people, Iraq is subject to widespread epidemics of infectious diseases, to combat which constant watchfulness is necessary."<sup>96</sup> One familiar with the conditions of life in the country says, "The degradation and dirt of the dwellings of the poorer classes are quite indescribable. The prevalence of sandstorms in the hot weather and the heavy rains in the winter, tend equally to make the unpaved and undrained streets of the big towns nearly intolerable; and the chronic state of congestion of the latter, with their higgledy-piggledy mass of houses almost on top of one another, would appear to make them powerless to stand the attack of any infectious disease

95. Art. 13.

96. *Special Report*, p. 70.

whatever."<sup>97</sup> But he finds the climate more kindly than in London and New York, where all would die with the habits of Bagdad. The brilliant sunshine sterilizes the crowded lanes and dilapidated houses of the cities. The custom of sleeping out, which is possible seven months of the year, is another means of escape. The general low humidity, save in the southern swamps of the Euphrates and particularly at Basra, tends to reduce, in effect, the extreme temperatures by some twenty degrees.

A British consul of several years experience at Basra says that during the coolest of the hot seasons he spent there, 116 days of the year registered more than 100 degrees and that the highest temperature recorded was more than 115 degrees. At night it might go down to 90 degrees. The highest temperature would occur when a dry wind was blowing across the desert from the north, but 110 degrees or more under such conditions were far less trying than when the wind changed to the south and came charged with moisture from the Persian Gulf. While this would bring down the temperature by the thermometer it would turn the European into a limp rag.<sup>98</sup> At Bagdad, in the height of the summer, it is from five to ten degrees hotter than at Basra, but in the former the people may retire to comparatively cool underground apartments, whereas at Basra there is no such refuge owing to the fact that directly excavation is begun one strikes water. The enormously thick house walls, few windows, and the continuously-going *punkahs* were the chief sources of relief.

While this consul found the summers at Basra even more trying than in India at higher temperatures where there are "many of the resources of civilization to mitigate" the hardship, he says "it would be difficult to say too much in favor of Basra in winter. During November, December, and January the weather was perfectly glorious, bright cloudless days, sufficiently cold to brace one up for the next hot weather, and very occasionally a degree or two of frost at night. Snow was unknown and a wet day a rarity."

He found the annual rainfall not to exceed seven inches, "but when it did rain it poured. The streets became mere quagmires." "After a day's wet," says he, "if the tide in my creek was too low for a *bellem* (boat), I had to ride to the club in the evening, and cannot have presented a very dignified appearance clinging to the back of a boatman and holding out a lantern in front of him to guide his straggling foot-

97. Coke, *The Heart of the Middle East*, p. 267.

98. A. C. Wratislaw, *A Consul in the East*, pp. 153-4.

steps. But it was the custom so to do, and my mount never let me down."<sup>99</sup>

In the swamp lands, especially in the lower Euphrates Valley, the marsh Arab must contend not only with mud and humidity, but with flies and insects innumerable, bred in the mud. The ground of his hut is often found "oozing water at every step" and with every sanitary precaution neglected. "It is a case of the survival of the fittest, for infant mortality is appalling."<sup>100</sup>

Pilgrimages to the holy shrines of the Hedjaz and of Iraq itself, along with the corpse traffic to the Iraqi holy cities, have, in the past, been a prolific source of the spread of disease in the country. Lack of adequate and sanitary water supply, especially in the cities, as well as lack of sewerage, has contributed its share to Iraq's toll of disease.

The Permanent Mandates Commission, while examining reports on Iraq administration in 1926, were impressed with the fact that the Iraqis gave more attention to the health of their animals than to their own. In explanation thereafter Sir Henry Dobbs stated that "the Iraqis did not object to their animals being treated, whereas many of them had inveterate prejudice against sending their families to hospital for treatment."<sup>101</sup> The Iraqis are particularly prone to attribute their bodily ills to Providence. If these ills appear in providential design, why should they not disappear, if at all, in like manner?

The rise of the primitive medicine man is one of the first evidences that the human creature means to try to do something about his physical ailments, but emergence into an age of scientific medicine was destined to meet difficulties some of which are familiar to the West. An observer on the spot in 1925 said that the quack has "in Iraq enormous influence and a corresponding power of doing evil. In a country whose two principal scourges, diseases of the eye and diseases of sex, lend themselves so admirably to specious amateur treatment, the position of the quack doctor, among the ignorant and superstitious population, becomes impregnable. He speaks the language of the people, knows their habits and their prejudices, and has his consulting room in the bazaar, that is, in the most accessible place to the public; there is no need for his patients to risk the publicity of repairing to the hospital, which even in more advanced countries the common people are inclined to shirk."<sup>102</sup>

Although under the Turkish régime there existed, mainly on paper, it seems, a hospital of twenty beds at each of the chief cities of the

99. *Ibid.*, pp. 155-6.

101. Tenth Session, p. 68.

100. Fulanain, *The Marsh Arab*, p. 21.

102. Coke, *op. cit.*, p. 266.

three vilayets, as well as a few dispensary doctors and pharmacists, and a sanitary and quarantine organization for control of the pilgrimage to the Shiah holy cities, this entire health and sanitary organization was broken up during the war. The British army of occupation "found nothing but a few medical officers and some French nuns who nursed the sick in the Baghdad hospital."<sup>103</sup>

Precautions for the army itself made it advisable to provide at once medical facilities for the local inhabitants. British and Indian doctors and inspectors with a large number of local untrained personnel soon formed a nucleus which by the end of 1920 had developed into a health service of more than one thousand persons, 10 per cent British, 14 per cent Indian, and 76 per cent Iraqi. At this time the service included the following institutions:<sup>104</sup>

1. Twenty-eight hospitals and fifty-one dispensaries
2. Specialist institutions
  - (a) Bagdad
    - Ophthalmic department
    - Central laboratory
    - Anti-rabic institute
    - X-ray institute
    - Civil medical stores
    - Chemical examiner's laboratory
  - (b) Basra
    - Ophthalmic department
    - Pathological laboratory
  - (c) Amara
    - Vaccine lymph institute
3. Sanitary and quarantine services
  - Municipal health departments at Bagdad, Basra, and Mosul
  - Port health department at Basra
  - Quarantine station at Khanaqin

Important developments of this service during the subsequent decade included:

Building of new hospitals, notably the Maude Memorial Hospital at Basra and the Maude Memorial Out-Patient department at Bagdad, though the total number was in 1930 still twenty-eight; dispensaries increased to ninety-six; wider distribution of hospital facilities, 1,250 beds in all; increased appreciation of medical treatment, exceeding enlarged facilities; every institution doing more work at less cost per

103. *Special Report*, p. 64.

104. *Ibid.*, p. 65.

patient in 1930 than ever before; establishment of a new quarantine station at Ramadi to control the greatly enlarged motor traffic across the desert to Syria.

While the personnel had increased only slightly by 1930, it was at the latter date 3 per cent British, 0.6 per cent Indian, and 96 per cent Iraqi.

The following table<sup>105</sup> shows the work of the health service for the past decade. The increase of the number of out-patients treated is especially significant of the rapid yielding of a backward people to scientific medical treatment.

Year	Hospitals In-Patients Total Admissions	Dispensaries Out-Patients Total Attendances
1921	20,008	714,462
1922	16,483	575,635
1923	13,632	886,294
1924	15,402	1,071,886
1925	16,532	1,298,604
1926	18,756	1,604,971
1927	18,228	1,470,830
1928	19,231	1,639,866
1929	20,519	2,590,262
1930	20,224	3,099,934

As a part of the educational program of the new state, a school of pharmacy and a royal medical college have been established. As a result of training in hospitals and in the school of pharmacy there were in 1931, 129 registered pharmacists in Iraq. The curriculum of the medical college "is based on the requirements of an average British qualification." Instruction is given in English. "The first batch of doctors should qualify from the school in 1932." They are obligated to enter the government service for five years in return for their five years' free tuition at the college.

The list of infectious diseases for Iraq reveals many which afflict the West, e.g., measles, whooping cough, mumps, etc. Plague is endemic in Bagdad. During the war severe epidemics of plague occurred in Bagdad, Basra, and Amara. By inoculation and other anti-plague measures it has now been completely eradicated from Basra, and near eradication has been reached in Bagdad. Since the war Iraq has experienced two epidemics of cholera, once in 1923, and again in 1927.

105. *Ibid.*, p. 68.

They came to Basra out of Persia. "Smallpox is always present in Iraq," but owing probably to extensive vaccination, is seldom fatal. The three most common and most widespread diseases are malaria, bilharzia, and ankylostomiasis. Malaria occurs in all provinces, but especially in the southern Euphrates Valley. It account for more than 15 per cent of all cases treated at government dispensaries. Quinine is issued to the public to the amount of sixteen hundred pounds annually. It is said that 30 per cent of the people are affected by the diseases of either bilharzia or ankylostomiasis.

A new generation of health propagandists is growing up in the schools where hygiene is a regular subject of instruction. As early as 1925 it was said that "all the schools are medically inspected, and the pupils submit to inoculation when necessary."<sup>106</sup> "When disease is prevalent the cry is now for medical aid, though formerly it would have been concealed from the authorities. Baghdad in 1930 held its first health week. A sanitary exhibition was organized and a daily programme of instructional health lectures and displays was carried out. Considerable interest was shown in the sanitary propaganda, particularly by women."<sup>107</sup>

Basra, Bagdad, and Mosul have adequate supplies of piped chlorinated water. Nejaf, Amara, and Arbil have piped water systems and other towns are considering such improvements.

Since the opening of the cross-desert route between Iraq and Syria in 1926, the pilgrimages to Mecca have been mainly by that road, whereas pilgrims formerly went by ship from Basra. This change has made "special quarantine control arrangements of the overland route necessary. These consist of medical examination and inoculation in Bagdad and control inspections at the new quarantine hospital that was built at Ramadi in 1928. The control of the Mecca pilgrimage has been the subject of a special international agreement between the countries through which it passes."<sup>108</sup>

The transport of the corpses of Shiah adherents to the four holy Shiah cities, Kerbela, Nejaf, Samarra, and Kadhimain is a matter of deep concern to health authorities of Iraq. About twelve of the two hundred thousand buried yearly in these towns, to be near the saints on resurrection day, are of foreign origin, mainly from Persia. A corpse traffic law was issued in 1924, the enforcement of which has removed the former danger to public health from this source.

106. *Report of High Commissioner*, 1925, p. 140.

107. *Special Report*, p. 71.

108. *Ibid.*, p. 74.

Other legislative acts during the past ten years, designed to guard the public health, include acts to regulate pharmacy, 1924; wholesale druggists, 1924; insanitary areas, 1924; medical practice, 1925; dangerous drugs, 1926; infectious diseases, 1928; and protection of the public health, 1929.

Iraq has acceded to the following international conventions: The Hague opium convention (1912), 1925; the international agreement of Brussels of 1924 for treatment of venereal diseases of merchant seamen, 1928; an agreement at the Beirut Conference of Near Eastern States for the regulation of the pilgrim traffic from these states to Mecca, 1929; dangerous drugs convention (Geneva, 1925), 1930; and international sanitary convention of 1926, 1931.<sup>109</sup>

### *Courts and Justice*

Among the most notable developments in the Ministry of Justice has been the extension of judicial service, both in the organization of new court units and in the expansion of individual court activities. The rapid increase of both civil and criminal cases throughout the ten years is explained by expansion of service rather than by an increase of civil litigation and criminal behavior.

There has been a growing feeling among townsmen and politicians, especially among the lawyers, for an amendment of the tribal disputes regulation to require that all criminal matters be referred to the courts. This is a part of the general evolution away from tribal to settled life, but it seems that administrative officials and inspectors in the provinces generally oppose the change. They have found the present system to work remarkably well as contrasted with the former reign of Turkish courts as applied to tribal matters.<sup>110</sup> There is also a tendency to refer matters of personal status, which are at present largely dealt with by the Moslem Shara' courts, to the jurisdiction of the civil courts as has been done under the modern Turkish judicial system.

For the last four or five years considerable effort has been made to revise the penal code and criminal procedure regulations, adopted in 1918, but completion of these reforms is yet delayed. Two other matters of deep concern to the British tutors in this connection have been the drafting of legislation, which is under the Ministry of Justice, and the delays of court business. The lack of the Iraqi's experience and his penchant for a high-flown style, regardless of directness and exact terminology, have barred advance in both these respects. A British lawyer was added to the staff of the drafting section of the ministry

109. *Ibid.*, pp. 72-3.

110. See *Report*, 1927, p. 122.

in 1926. As bills from other ministries have been presented to this staff for drafting its work has become continuously more heavy. The delays in the courts are largely attributable to ill-prepared briefs and the general lack of knowledge of the law and procedure.

The formation of a bar association, though long attempted, has so far failed, owing to a wide divergence of views of the profession. The older men fear the political radicalism of the younger. The latter do not want the judges included in the organization. The young and noisy barristers of Bagdad resent the discipline going with the proposed association control. They want to be free and at present do go undisciplined except as they may be restrained by the courts. Thus is exhibited a spirit not only typical of the desert Arab but of those in political swaddling everywhere. In 1919 there were in Iraq seventy-three licensed lawyers, sixty of whom were in Bagdad; at the end of 1930 there were 165, of whom 113 were in Bagdad. Business men complain at being unable to get reliable legal advice or to find lawyers who give proper attention to cases. The attractiveness of parliamentary seats has tended to reduce the ranks of those practicing the profession as advocates and as judges. The dearth of legal talent is especially characteristic of the provinces. The law school, which is restricted to graduates of secondary schools, is well attended. Its curriculum, which includes such subjects as medical jurisprudence, sociology, economics, and finance, is regarded as somewhat too broad.

The Judicial agreement of 1924 which gave foreigners the right in most cases to demand a British judge, was modified to meet the demands of the Persians and some others who felt that discrimination was made against them. The number of British judges was increased so that all foreigners and Iraqis as well could have their cases tried before British judges, or under their supervision, i.e., foreigners and Iraqis are put on a basis of equality as to the courts. The new agreement provided for a further increase of British judges. The agreement was accepted by the Council of the League, January, 1931, subject to approval of the powers concerned, and the latter signified their approval.<sup>111</sup>

### *Parliament and Cabinet in Action*

The constitution was adopted by the constituent assembly, July, 1924, but it was not promulgated until March, 1925, since it was deemed inadvisable to undertake parliamentary elections before the Turco-Iraqi frontier was determined. Following the four-months-long election

111. *Special Report*, pp. 81-2.



of the deputies, as provided by the electoral law, and the appointment in July of senators by the king, the Parliament met, July 16, 1925. Since under constitutional provision the ordinary session could not meet until November 1, it was thought that parliamentary government should begin at once, hence the extra session. Besides approval of the budget certain other acts of legislation were necessary for initiating the new government. The four months' duration (November 1 to February 28) for the single ordinary, annual sessions of Parliament have usually proved to be too short and the king has prolonged the sessions. Other extra sessions have been called. The committee system, with its reference of bills, amendment of bills, and other western parliamentary features, characterizes procedure. There has at no time been any British official, executive or advisory, in either the Senate or Chamber of Deputies. For the first election there was difficulty in securing enough candidates. Townsmen and sheiks alike, whose presence was regarded as desirable, drew back from the undertaking either because of its strangeness or its anticipated uninteresting confinement. The elections of 1928 and 1930, however, revealed that former deputies coveted reelection, owing to the prestige which had already attached to the office.

An unusual part of procedure is that a bill twice rejected by one house, but insisted upon by the other, is put before an assembly of the two houses where a two-thirds vote, with later approval of the king, completes the legislative process.<sup>112</sup>

The cabinet is responsible to the Chamber of Deputies as a unit for its governmental policies, and each minister is responsible for his own policies. From 1920 to 1931 there were thirteen cabinets in which forty-six different persons held office as ministers. No cabinet office has been held by a Britisher save as a temporary substitute.

This frequency in the fall of Iraqi cabinets was considered by a members of the mandates commission as possible evidence of incapacity for self-government.<sup>113</sup> The British representative, while admitting that cabinets fell too frequently, could not agree that this was evidence of political incapacity. It only meant that Iraqis did not appreciate the mandatory régime. Each government, as he pointed out, seeks to reconcile itself to that régime but is attacked by the opposition for not attaining Iraqi independence. The government then resigns to see if the opposition can do any better. And he saw in this the compensating feature that the Iraqis are thereby getting more parliamentary expe-

112. *Ibid.*, pp. 30-3.

113. Nineteenth Session, p. 85, November 10, 1930, by M. Orts.

rience, but he said that a study of cabinets would show that succeeding ones were by no means entirely new, for some names recurred again and again, though sometimes on different sides. The truth of this last statement is borne out by the fact that only forty-six persons have participated in the thirteen cabinets (of eight or nine members each) in the past ten years.

The suicide of the able prime minister, Abdul Muhsin Beg Al Sa'dun,<sup>114</sup> was later alluded to by another member of the mandates commission as further evidence of political incapacity, particularly as the suicide letter revealed that eminent Iraqi statesman's own view on the subject. The letter stated, "The Iraqis, who demand independence, are weak, powerless and very far from independence." Major Hubert Young, the British representative, saw in this suicide the result of a conflict in loyalties. Extremists had demanded that Iraq throw off British rule at once. Young, as acting High Commissioner,<sup>115</sup> had told the Prime Minister that this could not be done until the League of Nations had agreed to terminate the mandate. In this dilemma of conflicting loyalties this man had taken his own life. As for the letter, Young did not believe that it should be taken so seriously as members of the commission seemed to do. And whatever the late minister thought of the political capacity of his compatriots, he did not in this letter mean that they would not be ready for self-government in 1932.<sup>116</sup>

It is evident that the capacity for self-rule shown by the Iraqis has outstripped British expectations. Bourdillon, representing Great Britain before the Permanent Mandates Commission,<sup>117</sup> stated that when the government was first turned over to the Iraqis he "shared the feeling of most other British officers in the country at the time" to the effect that "the resulting loss of efficiency would be dangerous." But he added that "our anticipations have been pleasantly disappointed. The Iraqi people have tackled their task with a sober determination which has made British coöperation in that task exceedingly pleasant." M. Orts of the commission a year earlier commenting on Iraqi parliamentary government saw "both a disciplined majority obeying its leaders and a minority, which filled effectively the beneficent rôle of a loyal opposition."<sup>118</sup> This, he thought, was surprising in view of the lack of parliamentary tradition in the country. The High Commissioner, Sir

114. November 13, 1929.

115. His service began September, 1929, following the death of the former High Commissioner, Sir Gilbert Clayton.

116. *Ibid.*, p. 85.

117. *Twelfth Session*, p. 17, October 25, 1927.

118. *Tenth Session*, p. 58.

Henry Dobbs, stated, 1927, that "the work of Parliament is conducted entirely by Iraqis and no British or any other foreign officials are in any way engaged in the direction of the business in either of the two houses. The efficiency with which parliamentary business is conducted is, therefore, evidence of the ability of the educated classes of the country to understand and adapt themselves to the spirit and practice of democratic government."

Iraq's party system is not yet clearly developed though it is taking form. Fortunately party lines tend to cut athwart religious and racial lines, though there is an incoherent Kurdish bloc. The extremists frequently referred to are mainly those who seek complete independence.

Other features of Iraqi relationships which it might be profitable to pursue further, are social and moral conditions, especially as related to the cities and the tribes; the question of minorities; disease and pests; municipalities; communications; antiquities; auqaf; labor conditions; and international relations.

This chapter is sufficiently replete with details, however, for an adequate picture of the design, the process, and the efficacy of the League's tutelary scheme. There was more or less continuity of governmental development from the first of military occupation, but the imposition of the mandatory system under British liberal administration and world scrutiny, has perfected and democratized the design and process. Great Britain, sensitively responsible under the principle of the sacred trust, yet pressed hard under the insufficiently required burden of taxation incident to the project and, pressed even harder by the Iraqi drive for independence, was compelled to finish her task within a period the brevity of which seems to have been foreseen by none. Three features of this project are thus outstanding: It is the first democratic society in the Two Rivers country; it is the first product of the mandatory system; the degree of self-government established has come in a surprisingly short time.

## Chapter Twelve

### TERMINATING THE MANDATE

HERE AGAIN, AS IN MUCH of our story, we are without precedent when we consider the termination of the mandate. Mandatory, League Council and Permanent Mandates Commission were hesitant and proceeded cautiously, conscious of the fact that they were part and parcel of pioneer historical processes. The scene of action was seldom so public. World representatives were playing rôles while a wider world opinion sat in criticism of what was being done. A backward but venerable people were being guided into statehood by that nation of widest experience in the affairs of men, and all in the name of humanity. It was in something of the mood befitting such a situation that the Council of the League of Nations, January 13, 1930, requested the mandatory commission to "submit any suggestions" that might assist the Council in coming to a conclusion as to "what general conditions must be fulfilled before the mandate régime can be brought to an end in respect of a country placed under that régime."

#### *An Irrepressible Conflict*

It should be kept in mind, however, that while the historical uniqueness of the mandatory system furnishes profoundly fascinating study for the social scientist, its practical application to Iraq had no such fascination for the Iraqis. For this entire mandatory story has been characterized, in one way or another, by Iraqi impatience, restlessness and actual resistance. There had been more or less wholesome co-operation and some fervent acknowledgment of the beneficence of British assistance. But mistrust and suspicion had been widely and openly evident. Frequently anti-British feeling had been expressed with marked violence. Even the pro-British Iraqi sentiment had been characterized by little more than a superficially generous, though fatalistic, submission to the inevitable. The pronounced introduction to this

story of resistance was the account of the revolt of 1920. Ardor for freedom may lead the midget power to the shedding of blood but what does it avail against the colossus? Diplomacy only was left. And in this the new British-made king himself delayed negotiations in search of devious ways around the mandate.<sup>1</sup> Signature of the Anglo-Iraqi treaty, October 10, 1922, finally came only upon assurances from the Secretary of State for the Colonies that the mandate would lapse from the moment that Iraq was admitted to membership in the League of Nations,<sup>2</sup> the treaty itself obligating the mandatory power to secure such membership at the earliest possible date. But the treaty was for twenty years and League membership might not come within that period. The next diplomatic drive secured the protocol, signed April 30, 1923, reducing the term of the treaty to a date ending four years following the date upon which the Treaty of Lausanne went into effect. This would have been August 6, 1928. But, as we have seen, the Council of State had accepted this treaty with the other agreements only on condition of their approval by the forthcoming constituent assembly. We saw too that this latter approval came under circumstances which may be regarded as a case of duress. This approval, June, 1924, was itself conditioned upon Great Britain's making good Iraq's claims to Mosul.<sup>3</sup> In order to get Mosul Iraq had to accept the twenty-five year extension of the mandate as recommended by the Mosul commission of inquiry. This was incorporated in the treaty of 1926, but there followed, as a result of continued antimandate agitation by the Iraqis, the signature of the unratified treaty of 1927 by which Great Britain agreed to a conditional recommendation of League membership by 1932. It was objection to this conditional recommendation, together with objections to military and financial provisions of that treaty, which finally induced Great Britain to announce her withdrawal of the treaty and her determination to make an unqualified recommendation for Iraqi membership in the League for 1932.

Evidently there has been an irrepressible Anglo-Iraqi conflict since the very beginning of this relationship. The following from the high commissioner's *Report* of 1928 bears pertinently upon this situation: "The influence of this series of disappointments has become markedly noticeable in the educated 'Iraqi's outlook on the political situation of his country, and shows itself in an increasing intolerance of British guidance and a disposition to feel that 'Iraq is ringed in by obstacles which at every turn thwart her efforts to be free. The idea is growing

1. *Report*, 1922-23, p. 14.

2. *Ibid.*, p. 23.

3. *Report*, 1923-24, p. 23.

that the treaty of alliance concluded with Great Britain in 1922 set up a state of affairs which, if continued, will not only impede the realization of the country's political aspirations, but will also prove inimical to the economic and social development of the country. The 'Iraqi critic argues that the government of a country by two governments, one foreign and the other national, is an abnormality which, although possibly feasible in theory, is not in practice a workable scheme, and during the year under report this state of affairs in 'Iraq has been freely and openly condemned by many prominent 'Iraqi politicians, both in Parliament and in the press. Reference to it has indeed become so frequent that a special term has been brought into common use to describe it and all that it entails. It is called *al wadh' al shadh*, which can perhaps best be translated as 'the perplexing predicament.' The term is used to cover the anomaly that 'Iraq has national sovereignty and is yet under a mandate, to suggest the dilemma of ministers, constitutionally responsible to Parliament, but subject to the influence of their British advisers, and to explain why it is that 'Iraq cannot create an army large enough to defend her frontiers without conscription and cannot apply conscription without having a strong army to enforce it. 'Iraqi ministers and administrators profess to find 'the perplexing predicament' in every department of the administration of the country. The 'Iraq government controls and administers the railways and the Basra port, but does not own them, can declare martial law, but, under the military agreement cannot administer it, and has an army but cannot move it except with the concurrence of the British high commissioner. Foreign governments (which are members of the League) can discriminate in tariff and other matters against 'Iraqi subjects, but the 'Iraq government has no power to retaliate; foreign subjects have special judicial privileges in 'Iraq while 'Iraqi subjects have no reciprocal advantages abroad. The 'Iraq government pay half the cost of the expenses of the British high commissioner and his staff in 'Iraq, but have no control over the expenditure incurred on this account, and finally, although under the military agreement the 'Iraq government should, not later than four years from the date of the conclusion of the agreement, accept full responsibility for the maintenance of internal order and for the defense of 'Iraq from external aggression, she had not up to the end of 1928 in practice assumed this responsibility. It is all the anomalies and perplexities of this kind that arise continually out of 'Iraq's present treaty relations with Great Britain, which create in the imagination of the more fervid patriots the irritating situation which has earned the name of *al wadh' al*

*shadh*.”<sup>4</sup> Thus is explained the “conflicting loyalties” which Major Young saw as resulting in the suicide of the venerable and able Abdul Muhsin, November 13, 1929.

It is well to note here again, too, that British policy was in process of change throughout the period. The millions of sterling put into the Iraqi project promised, under the mandatory régime, no show of satisfactory return. As the years went by Arabs and pro-Arabs persistently reminded the British of their commitments to Arab freedom while League of Nation circles stressed her obligations under the principle of the sacred trust. At the same time postwar conditions, both internally and externally, were rapidly making a new Britain. This new Britain would not hazard another struggle with nationalist Iraq. Its resources, domestic and imperial, must submit to the most rigid husbanding. It was the supreme test of the traditional British claim to vicarious service to backward peoples. How could the new Britain with a judicious regard for her own interests acquit herself, with honor, before the increasing scrutiny of world opinion, of this unprofitable enterprise? In an after-dinner speech as late as the summer of 1930, Sir Arnold T. Wilson, who had been acting civil commissioner during the last fateful months of the military occupation, after reciting the tremendous costs of the Mesopotamian campaign, said, “And what have been the fruits of our labors? I am convinced if they have fallen short of expectations in the mandated territories of Iraq and Palestine, it is due . . . solely to the mandatory system imposed on the Allies and accepted by us almost without consideration.” Continuing, he said, “Had we been permitted to incorporate these new states as independent nations within the framework of the British Commonwealth of Nations, we could have endowed them with fresh life and stability. We could have provided capital of which they stand in such urgent need. Our responsibility would have been no greater than at present—their independence no less real than that of the dominions.”<sup>5</sup> While this could hardly be cited as average British opinion, this interpretation has been sufficiently strong to be a potent factor in the make-up of British Middle East policy. And its plaintive note is indicative of a waning imperial policy.

### *The Mandates Commission*

While the formal mandatory arrangement for Iraq was completed by the Council's acceptance of the scheme, September 27, 1924, the commission postponed consideration of the High Commissioner's

4. P. 27.

5. *Near East and India*, July 3, 1930, p. 15.

reports on British Iraqi administration until after the Mosul question was settled. In fact at its seventh session, October, 1925, the commission was not quite sure but that Iraqi independence, under the unique mandatory relations existing, was too great for them to take up the matter at all except by special request of the Council. All circumstances considered, especially in the absence of precedent, the attitude of the commission in examining these reports, as might have been expected, was at least until the end, one of hesitancy, leniency, and marked respect for the mandatory power. Reports from the beginning of the provisional government, 1920, have passed under its review. After studying the reports and the exchange of observations thereon by the commission a British representative from the Iraqi administration has been brought before the body for questioning and discussion. The commission has concerned itself mainly with such questions as guarding the rights of racial and religious minorities; the improvement and extension of education and health services; economic development and the maintenance of economic equality, particularly with respect to oil; Iraqi labor conditions; and international relations, including Iraq's obligations in connection with conventions on opium, slavery, health, and other matters of less importance. The minutes of sessions abound with the commission's thanks for information obtained and with urgent requests for more information on these subjects. The duties of the mandatory power in respect to them have been constantly impressed through questions or by direct reminders.

The most outstanding instance of the commission's criticism has come in connection with an injustice done the Bahais,<sup>6</sup> a very small religious group of Persian origin, neither Sunni nor Shiah, but hated by these latter sects. The Bahais petitioned the League of Nations in 1928, complaining that they had been deprived of certain property in Bagdad. The case had gone through the entire hierarchy of courts ending with a four-to-one decision in the Court of Appeal against the Bahais, the British presiding justice casting the minority vote. The matter was brought to the League on the principle of liberty of conscience and religion as safeguarded in the treaty of 1922, in the organic law, and in article 22 of the Covenant. The letter of the Iraqi prime minister and the memorandum of the British government accompanying the petition present divergent views. The letter maintained that the decision was according to law; that it was free from religious prejudice, being rendered by a court of mixed religious opinion; and

6. See Fourteenth Session, Permanent Mandates Commission, Annex 13, pp. 261-3, and Sixteenth Session, pp. 26-7.



that there was no further recourse. The memorandum maintained the opposite, explaining that the whole affair had been largely determined by religious and political influence in which both Sunnis and Shiah, especially the latter, were to blame. Even the king, fearing riot among the Shiah, issued the order transferring the property to the governor of Bagdad. The memorandum states "His Majesty's action was illegal." The commission recognized the injustice done this insignificant sect and so reported to the Council of the League which in turn demanded that the wrong be righted. As a result the Iraq government offered money compensation to the Bahais, who refused the offer.<sup>7</sup> It was not until November, 1932, following the termination of the mandate, that the commission was informed of a solution of this problem satisfactory to the Bahais. These details are significant of the power and prejudice of religious passion in Iraq.

In examining the reports on Iraq administration for 1928 and 1929 and in questioning the British representative thereon the commission became more inquisitive and more sensitive to responsibility owing to the fact that it was called on to participate in setting precedents regarding the termination of mandates. It warned the British government in its report to the Council on its sixteenth session<sup>8</sup> that in future its accredited representative would be expected to answer questions particularly relating to "Iraq's ability effectively to govern itself, with its relations with states members of the League of Nations . . . religious liberty and economic equality and also with the guarantees of the rights of racial and religious minorities." It was hoped, too, that the mandatory power would "endeavor, in future reports, to make clear how much of the result is due to British officials in the Iraq government service and how much to the efforts of the Iraq government itself." And ". . . it would be well that the extent to which the Iraqi officials are dependent upon British support, the efforts made, the opposition encountered and the results achieved in each sphere, the difficulties which have been settled and those which have still to be overcome, should be described as far as possible."

It is upon this informational basis that the commission proposed to rest its recommendations to the Council of the League as to Iraq's fitness for release from mandatory guidance. It was found, however, that the report for 1929 was insufficient. This led to the suggestion

7. Permanent Mandates Commission, for the third time, in their *Report to the Council*, refer to this "miscarriage of justice" (Minutes, Twenty-First Session, November, 1931, p. 212).

8. Sixteenth Session, Annex 12 E, pp. 203, 204.

from the accredited representative, Major Young,<sup>9</sup> that there should be prepared for the commission's use a comprehensive report covering the entire ten years' administration. This sweeping view would furnish opportunity to estimate progress in all respects throughout the period. Frequent reference in this account has been made to this *Special Report*.

Since the commission in considering the report on Iraqi administration for 1929 had fully in mind the consummation of that régime, it is well to note the main points emphasized at that time. Major Young, acting High Commissioner, representing Great Britain before the commission, had been in Iraq only since the preceding September and was unable to answer certain questions. Ignoring whatever consideration was due the Major for his lack of information, two members of the commission, in view of the fact that the mandatory power had been forewarned as to their eagerness for information on this occasion, took that power to task for negligence. There was "something rather casual in the attitude of the mandatory power," one said. And the British representative seemed little more than "a diplomatic observer." It was not the first time the latter charge had been made by members of the commission. It was not enough for the Iraqi government to take steps to remove causes of Assyrian complaints, the mandatory power should see to it. It was pointed out that a divergence of view seemed to exist as between the mandatory power and the commission.

The mandatory power, in spite of all her persistence (which persistence Young here acknowledged) to be rid of the mandate for Iraq, faced something of a dilemma. Iraqi officials, as Young pointed out, demanded the opportunity to show their capacity for self-rule by being intrusted with an ever widening range of authority, but any surrender of control by the mandatory power was likely to provoke from the commission a charge of mandatory laxness. At the very time when the mandatory power was approaching a relinquishment of authority the commission became most keenly aware of its supervisory responsibilities.

The number of petitions which had reached the commission recently from the Kurds and non-Moslem minorities impressed that body with the apprehension felt by the petitioners in view of the prospective termination of the mandate. It reminded them of the Bahai case as yet unrectified. They seemed not altogether satisfied with Young's statement that his government and that of Iraq had decided that the only hope for the Kurds was submission to an Iraqi rule tempered as far as possible to Kurdish desires. They were by no means pleased with the

9. Nineteenth Session, p. 85, November 10, 1930.

suggestion that attempt was to be made to settle the Bahai issue by government expropriation of the property for a dispensary, a school, or a public garden. As for the Assyrians, Young claimed that there was absolutely no discrimination in their regard. The commission observed that they had sent in their petition upon learning that the new Anglo-Iraqi treaty contained no provisions safeguarding their religious liberties. What will happen to them when Great Britain can no longer as mandatory intervene in their behalf? At this point the accredited representative could say that his government had warned Iraq that a termination of the mandate would likely be conditioned upon her giving guarantees for the security of racial and religious minorities, and that he was so to inform the commission. This move on the part of his government had been in response to that portion of the commission's report to the Council for 1928 which said: "It [the commission] would welcome the entry of Iraq into the League of Nations if and when certain conditions were fulfilled, in particular that it becomes apparent that Iraq is able to stand alone, and that effective guarantees be secured for the observance of all treaty obligations in Iraq for the benefit of racial and religious minorities and of the state's members of the League of Nations."<sup>10</sup>

In the *Special Report*, issued 1931, and designed to prove Iraq's fitness for League membership it is said that "... the aim which His Majesty's government have set before themselves has been the establishment at the earliest possible date of a fully independent state of 'Iraq inspired with the spirit of the League of Nations, animated by a sincere desire to observe its international obligations, and ready to accept not only the privileges but also the responsibilities involved in accession to the Covenant. During the period under review they have kept constantly in mind the principle embodied in article 22 of the Covenant that the well-being and the development of the people of 'Iraq form a sacred trust of civilization, but they have never regarded the attainment of an ideal standard of administrative efficiency and stability as a necessary condition either of the termination of the mandatory régime or of the admission of 'Iraq to membership of the League of Nations. Nor has it been their conception that 'Iraq from the first should be able to challenge comparison with the most highly developed and civilized nations of the modern world. What they have aimed at is the setting up, within fixed frontiers, of a self-governing state enjoying friendly relations with neighboring states and equipped with stable legislative, judicial, and administrative systems and all the

10. Sixteenth Session, Annex 12 E, pp. 203, 204.

working machinery of a civilized government. They are confident that, when the time comes for the question of the admission of 'Iraq to membership of the League of Nations to be considered, the verdict will be that this end has been achieved; that under the protection afforded by membership of the League of Nations the independent state of 'Iraq can and will stand alone; and that it no longer stands in need of the mandatory advice and assistance which it has hitherto been the privilege of His Majesty's government to render."<sup>11</sup>

### *The Terms of Emancipation*

The mandates commission, in earnest effort to blaze a right new trail on which the Council sought guidance and precedent in its resolution of January 13, 1930, went, at its twentieth session (June, 1931), extensively and thoroughly into Iraqi conditions. While the Council sought first the general conditions under which mandated territories could be emancipated, it would be, to no little extent, from the circumstances surrounding Iraq that the general pattern of emancipation should be made. Statements from the mandatory powers, the Covenant of the League, and mandates with treaties accompanying them, gave little clue to procedure at this point. Certain members of the commission, e.g., M. Rappard, *et al.*, sought to evade for that body the responsibility of specifying conditions of emancipation from a mandate. This was a political matter and should be dealt with by the Council, it was said.

It was their concern for the future welfare of the minorities that troubled the commission most. On this point Sir Francis Humphreys, the accredited British representative, and the High Commissioner, brought needed relief to the commission in its aversion to assumption of responsibility. He had the utmost faith in Iraqi tolerance. His faith was based on thirty years of experience in Mohammedan countries. He had never seen such tolerance of other races and religions as in Iraq. Jews, Moslems and Christians had lived here amicably for centuries. The Iraqi rulers themselves had until the last twelve years been in the minority. He even felt the moral responsibility must rest with his government should Iraq prove herself unworthy and that his government would not attempt to transfer that responsibility to the commission. M. Orts, in answer to whose question this statement was made, was greatly pleased with the statement as "perhaps the most important

11. Pp. 10-11.

that had been made during this present examination of the situation in Iraq.<sup>12</sup>

Sir Francis assured the commission that Iraq's advancement for self-government had gone steadily on since preparation of the *Special Report* which they were then examining. The number of British and Indian officials was being reduced. He explained that great progress had been made in consolidating friendly relations between the Iraqi government and the government of Hedjaz and Nejd. The prime minister, unaccompanied by any British official, had signed while at Jeddah in April 1931, a *bon voisinage* agreement, an arbitration protocol and an extradition treaty which had passed the Iraqi Parliament May 16. He had signed also a treaty of friendship between Iraq and Transjordan and an extradition treaty with Egypt.<sup>13</sup>

He believed that the relations between the Kurds and the Iraqis was continually improving. The Iraqi government had itself, he stated, abandoned its former suspicion that Great Britain and the Allied powers were of opinion that some form of separatism for the predominantly Kurdish areas was their policy. That government had been pleased by the High Commissioner's attitude towards the Kurds, particularly with the disposition of the Sheik Mahmud's case in that after his recent surrender he was allowed to return in safety with his family and with adequate means of support. He was in thorough sympathy with the following sentiment on the Kurdish question as expressed to the Kurds in a speech March 17, 1931, by the Minister of the Interior at Sulaimaniya. The minister said that all should "forget the past, its sufferings and mistakes, and the misunderstandings and estrangement which it brought between us and to welcome a new era brought by the policy of His Majesty the King." Sir Francis had himself recently made an extensive tour among the Kurds and found generally widespread satisfaction with the new local language law, provided it should be promptly and sympathetically applied. But he pointed out the following objections to the natural desire that a great majority of officials serving in the northern areas should be Kurdish: (1) such exclusion would logically debar Kurds from obtaining appointments in Iraq outside their own districts, and (2) it might happen that an unbiased Arab official who held the scales equally between the various tribal divisions would make a better governor than a local Kurd who would be apt to be prejudiced in favor of his own particular section.<sup>14</sup>

12. Minutes, Permanent Mandates Commission, Twentieth Session, June, 1921, p. 134.

13. *Ibid.*, p. 118.

14. *Ibid.*, p. 120.

In reply to the suggestion that a representative of the League of Nations should be placed in Iraq to supervise the guarantees to be provided for the minorities, the accredited representative gave the commission the following objections: (1) Iraq would doubtless regard it as a derogation of sovereignty and lack of faith in her ability to implement the guarantees. (2) Since the Moslems, Jews, and Christians have lived peaceably together for so long such a measure would be provocative of the things they proposed to avoid. (3) It would tend to enhance present animosities. (4) It would keep alive the idea of separatism. (5) Minorities would go to such a representative with imagined grievances as well as real ones.<sup>15</sup>

It was suggested at this session of the commission that they might send a special committee of their own to study and report on Iraqi conditions before making their decision. Reference was made to the fact that this same mandatory power's accredited representative had been misled as to conditions in Palestine when just before the massacre of 1929 he had maintained that all was quiet there. But on the whole the commission seemed greatly pleased to base their conclusion upon evidence furnished by the mandatory power. During this study M. Rappard went so far as to say that "the story of Anglo-Iraqi relations in the last ten years was an extremely interesting record of the gradual withdrawal by the mandatory power in successive stages (in 1922, 1926, 1927, and again in 1929) in deference to Iraqi aspirations. It was a very remarkable episode in the history of liberty; and as the citizen of a small state he welcomed this unusual instance of voluntary concession by a stronger to the weaker party."<sup>16</sup>

### *General Conditions for Ending a Mandate*

A year and a half following the Council's request therefor the mandates commission presented in its report<sup>17</sup> general recommendations of conditions for terminating a mandate. It specified "two classes of preliminary conditions" as follows: "(1) The existence in the territory concerned of *de facto* conditions which justify the presumption that the country has reached the stage of development at which a people has become able, in the words of article 22 of the Covenant, 'to stand by itself under the strenuous conditions of the modern world.' (2) Certain guarantees to be furnished by the territory desirous of emancipa-

15. *Ibid.*, p. 140.

16. *Ibid.*, p. 131.

17. Minutes, Permanent Mandates Commission, June, 1931, pp. 228-9.

tion to the satisfaction of the League of Nations, in whose name the mandate was conferred and has been exercised by the mandatory."

The conditions named under (1) are "a settled government" with "an administration capable of maintaining regular operation of essential" governmental service; "capacity of maintaining its territorial integrity and political independence"; ability to maintain peace at home; financial stability; and a judicial organization capable of equal and regular justice to all.

The guarantees named under (2) are "effective protection of racial, linguistic and religious minorities"; the "privileges and immunities of foreigners" as formerly provided for under "capitulations and usages," unless otherwise provided for, as well as the "interests of foreigners in judicial, civil and criminal cases . . . not guaranteed by capitulations"; "freedom of conscience and public worship and the free exercise of religious, educational and medical activities of religious missions of all denominations," but with due regard to the needs of public order; financial obligations regularly assumed by the former mandatory power; all rights legally acquired under the mandatory régime; and the maintenance in force, under proper limitations, of international conventions. And if the new state has been hitherto subject to the economic equality clause, it should agree to secure most-favored-nation treatment for all states members of the League of Nations.

### *The Commission's Opinion on Iraq's Fitness for Emancipation*

On September 4, 1931, the Council by resolution requested the commission to "submit its opinion on the proposal of the British government for the emancipation of Iraq." As already suggested the consideration of the general release from a mandate could not be separated from the consideration of the release of Iraq since the former was necessitated by the latter. Hence, little need be said here aside from stating the commission's reply. The reply was formulated at the commission's twenty-first session October-November, 1931.

In its report to the Council<sup>18</sup> it stated that the commission had at its disposal no first-hand information as to Iraqi conditions. It has depended upon information contained in the annual reports of the British government, its *Special Report*, explanations by the accredited representatives before the commission, and the numerous petitions sent to it by inhabitants of Iraq and by private persons. They are relying upon

18. Twenty-First Session, October 26 to November 13, 1931, Annex 22.

the views of the British government in this regard and upon the statements of its representative, Sir Francis Humphreys, before its twentieth session when he said that "should Iraq prove herself unworthy of the confidence which has been placed in her, the moral responsibility must rest with His Majesty's government."

In their conclusion they found that Iraq had a "settled government and an administration" for carrying on the regular and essential governmental services; but that she had not an adequate military establishment for maintaining her territorial integrity and political independence as against foreign aggression by means of her own forces. However, under League of Nations membership with guarantees and under the operation of the new Anglo-Iraqi treaty (1930), Iraq would fulfill this condition. They accepted the British representative's statement as to Iraq's ability to maintain domestic peace. They would not "express an opinion on the solidarity of the financial system of a state whose credit had not yet been tested and whose national currency had not yet been put into circulation," but they saw nothing to prevent there being "adequate financial resources to provide regularly for normal government requirements." Iraqi laws and her judicial organization, subject to certain needed adjustments, recognized by the British representative, would be satisfactory.

As to guarantees to be required of Iraq, they felt that the rights of the racial, linguistic and religious minorities "should be insured by means of a series of provisions inserted in a declaration to be made by the Iraqi government before the Council of the League of Nations and by the acceptance of the rules of procedure laid down by the Council in regard to petitions concerning minorities, according to which, in particular minorities themselves, as well as any person, association or interested state, have the right to submit petitions to the League of Nations." The Iraq government should give a solemn pledge to the Council of the League guaranteeing the interests of foreigners in judicial matters, civil and criminal. This pledge, which should take the place of the capitulations, which would be normally revived on expiration of the judicial agreement of March 4, 1931, should be based on that agreement and should have the consent of the powers. But a majority of the commission believed that the foreign judges forming part of the judiciary of Iraq should not be exclusively of British nationality.

In case of a reversion to capitulations, the interests of the nationals of members of the League of Nations not enjoying capitulatory rights



under the Ottoman Empire, or which had renounced them by treaty, should be safeguarded.

Iraq should formally undertake before the Council of the League, in accordance with the latter's resolution of September 4, 1931, to "insure and guarantee freedom of conscience and public worship, and the free exercise of the religious, educational and medical activities of religious missions of all denominations," with due regard for the public order. She should make a declaration to the Council regarding financial obligations assumed in regular form by the mandatory power. There should be an undertaking to the same effect in respect of all rights of every kind legally acquired before and during the mandatory régime, as also, to maintain in force the international conventions, both general and special, to which during the currency of that régime Iraq, or the mandatory power on its behalf, had accepted under terms provided for under such conventions.

Finally, it was recommended that any differences of opinion between members of the League of Nations and Iraq as to the interpretation or fulfillment's of Iraq's obligations should be submitted to the Permanent Court of International Justice.

As to the Anglo-Iraqi treaty of 1930, designed to come into effect on the termination of the mandate, and which is outlined below, the commission made in its report the following comment: "although some of the provisions of the treaty . . . were somewhat unusual in treaties of this kind, the obligations entered into by Iraq towards Great Britain did not explicitly infringe the independence of the new state."<sup>19</sup>

### *Final Steps in Preparation*

On January 28, 1932, the Council of the League of Nations accepted by resolution the above recommendations and declared itself "prepared, in principle, to pronounce the termination of the mandatory régime in Iraq, when that state shall have entered into undertakings before the Council in conformity with the suggestions contained in the report of Permanent Mandates Commission. . . ." A committee to prepare a draft declaration terminating the mandate as recommended was provided for. It was to report at the next meeting of the Council. This same resolution of the Council specified that Iraq would be expected to give formal acceptance to the forthcoming draft declaration and that termination of the mandate should not come until Iraq had been admitted to the League of Nations.<sup>20</sup>

19. *Report*, Twenty-First Session, p. 225.

20. Sixty-Sixth Session of the Council, January 28, 1932, p. 474.

At its next session, May 19, 1932, the Council approved the draft resolution prepared by this special committee along the lines above suggested by the commission. Thus there remained only two events to complete the termination of the mandate: (1) Formal acceptance of the above declaration by Iraq; and (2) admission of Iraq to League membership by the Assembly of that body.

The Council (sixty-seventh session) in approving the declaration by Iraq, recommended as a further preparation for her admission to the League that the powers whose nationals had enjoyed capitulatory rights in the former Ottoman Empire should renounce the maintenance of these rights in Iraq. These rights formerly enjoyed to a greater or less degree (but recently cared for under the mandatory system) by the following powers were at once, in response to the Council's request, renounced by those powers: Austria, Belgium, Denmark, France, Greece, Hungary, Italy, Holland, Norway, Portugal, Rumania, Spain, Sweden and Persia.<sup>21</sup> Rights of the United States and her nationals are provided for in a separate convention.<sup>22</sup>

The Council was informed, July 13, 1932, that the draft declaration approved by that body, May 19, now duly signed and ratified, had been deposited in the archives of the secretariat.<sup>23</sup> In this document are numerous definitive obligations assumed by Iraq vis-à-vis the League of Nations.

Its stipulations (art. 1) are "recognized as fundamental laws of Iraq and no law, regulation or official action shall conflict or interfere" therewith, nor shall any such "in the future prevail over them." After reiterating the various obligations which the mandates commission, as above, would require respecting nationality, language, race and religion, Iraq agrees to "communicate to the Council . . . information regarding the manner in which these measures have been executed" (art. 6). Religious minorities are to enjoy the right to establish councils to administer "pious foundations and charitable bequests," but these councils "shall be under the supervision of the government" (art. 7). And provision will be made "in the primary schools" for instruction in "their own language," along with the Arabic, for the children in towns and districts where live "a considerable proportion of Iraqi nationals whose mother tongue is not the official language." Such groups shall also receive their due share of the public funds (art. 8). In those quadhas "in which the population is predominantly of

21. For letters of renunciation, see *Official Journal*, 1932, pp. 1852 ff.

22. See cmd. 3833.

23. For text, see *Official Journal*, 1932, pp. 1347-50.

Kurdish race," as "in the liwas of Mosul, Arbil, Kirkuk, and Sulaimaniya, the official language, side by side with Arabic, shall be Kurdish." In those quadhas of the liwa of Kirkuk where "a considerable part of the population is of the Turcoman race, the official language, side by side with Arabic, shall be either Kurdish or Turkish." Iraqi officials of these quadhas shall, "as far as possible," be selected from these districts, but "efficiency and knowledge of the language, rather than race," shall be "the criterion for the choice" (art. 9). "Subject to reciprocity, Iraq undertakes to grant to members of the League most-favored-nation treatment for a period of ten years from the date of its admission to membership" therein (art. 11). As to judicial organization it is said, "A uniform system of justice shall be applicable to all, Iraqis and foreigners alike. It shall be such as effectively to insure the protection and full exercise of their rights both to foreigners and to nationals." "The judicial system at present in force, and based on articles 2, 3 and 4 of the agreement between the mandatory power and Iraq, signed on March 4, 1931, shall be maintained for a period of ten years" from date of Iraq's admission to the League (art. 12). "Iraq considers herself bound by all the international agreements and conventions both general and special, to which it has become a party, whether by its own action or by that of the mandatory power acting on its behalf" (art. 13). Other provisions of this declaration are not of particular concern to us here save those of the final clause which say that any members of the League "may call the attention of the Council to any infraction of these provisions"; that they "may not be modified except by agreement between Iraq and the Council . . . acting by a majority vote"; and that "any difference of opinion which may arise between Iraq and any member of the League of Nations represented on the Council, with regard to the interpretation or the execution of the said provisions, shall, by an application by such member, be submitted for decision to the Permanent Court of International Justice" (art. 16).

These provisions are of great importance for the two reasons that they are (1) the terms under which Iraq becomes a special future ward of the League, and at the same time (2) a résumé of Iraq's serious domestic problems of the future. The two, of course, are one, the second being the basis for the first. The sentiments and institutions here arising out of race, language, nationality and religion are back of most of the serious cultural clashes of the Middle East. And these are only local instances of the larger world problems of the same character.

One of the essentials of any organized group, fit for admission to the

family of nations, is at least a fair delimitation of all its political bounds. In this regard Iraq started with only a portion of her Persian frontier mutually acceptable. Through all the years of her mandatory existence this has been one of her most vexing problems. The most serious instance came in the Mosul question. Thanks to the resourcefulness and prestige of the mandatory power, Noury Said, the prime Minister, was able to say to the League of Nations, July 12, 1932, "Iraq possesses well-defined frontiers with all limitrophe states."<sup>24</sup> However, the Prime Minister, again addressing the League September 27, stated that when the above information was conveyed to that body he expected the Council to hand down its decision regarding the Syrio-Iraq frontier before the Assembly of the League was to take up Iraq's request for admission. He added that his government would accept whatever decision the Council rendered. This is accepted as satisfactory by the League though the Council's decision was not made until November 25, after Iraq's admission.<sup>25</sup>

Notable advancement was made otherwise in Iraqi foreign relations during 1931 and 1932. Among others the following deserve especial mention: In February and March of 1932 Iraq and Persia made their first exchange of ministers. King Feisal with his prime minister and minister of finance visited, 1931, the Turkish capital where later a treaty of residence and trade and an extradition agreement were concluded. The prime minister, Noury Said, went to Mecca, March, 1931, where a treaty of friendship and *bon voisinage* with an arbitration protocol and an extradition treaty were concluded with the great Wahabi ruler, Ibn Saud of Arabia. During the same period an extradition treaty was made with Egypt, a treaty of friendship with Transjordan, and a treaty of mutual recognition and friendship was concluded with the Yemen. King Feisal visited, 1932, his brother Amir Abdullah, ruler of Transjordan, following which was made an agreement as to the frontier of the two countries. During 1932 there visited Bagdad a Yemen delegation (to sign the above-named treaties) and also Amir Feisal, son of Ibn Saud. In the meantime King Feisal had conferred upon Ibn Saud the highest order of the kingdom.<sup>26</sup>

The foregoing details have seemed amply justified in our story on

24. *Official Journal*, 1932, p. 1862.

25. *Ibid.*, pp. 1955-6. The Council accepted the line laid down by a special commission on the spot which line had also been approved by the mandates commission, as well as by Great Britain and France, the mandatory powers concerned. See also *Reports of High Commissioner*, 1931 and 1932, under "Foreign Relations" for other facts as to this settlement.

26. *Reports of High Commissioner*, 1931 and 1932, under "Foreign Relations."

the grounds, both, that the League was establishing a precedent for mandate termination, and, that therein are emphasized Iraq's own peculiar problems.

It is now necessary to take up briefly the provisions of the new Anglo-Iraqi treaty which went into effect upon termination of the mandate.

### *The Anglo-Iraqi Treaty of 1930<sup>27</sup>*

The new twenty-five-year treaty (art. 11), signed at Bagdad, June 30, 1930,<sup>28</sup> is a treaty of "close alliance." Each of the powers is to have a representative at the court of the other (art. 2). Notes are attached to the treaty by which it is agreed that the British representative at Bagdad is to be of the status of ambassador. Should any trouble arise between Iraq and a third state, threatening a rupture, the contracting parties will "concert together with a view to the settlement of the said dispute by peaceful means in accordance with the provisions of the Covenant of the League of Nations and of other international obligations which may be applicable to the case" (art. 3). In case of war against either of the parties, the other "will . . . come to his aid in the capacity of an ally," subject always to the obligations assumed under the Covenant of the League and the Kellogg-Briand pact. "The aid . . . of Iraq in the event of war or the imminent menace of war will consist in furnishing to His Britannic Majesty on Iraq territory all facilities and assistance in his power including the use of railways, rivers, ports, aërodromes and means of communication" (arts. 4 and 9).

While the defense of Iraq from external aggression, otherwise than that just referred to, rests with that country itself, "nevertheless, the . . . king of Iraq recognizes that the permanent maintenance and protection in all circumstances of the essential communication of His Britannic Majesty is in the common interest of" both parties (art. 5). Hence, in order to "facilitate the discharge of the obligations" which Great Britain assumes, as above noted (art. 4), "the king of Iraq undertakes to grant to" Great Britain, for the period of the treaty, "sites for air bases to be selected by" the latter "at or in the vicinity of Basra and for an air base to be selected" by her "to the west of the Euphrates" (art. 5). Great Britain is to be allowed to maintain, in these localities, forces the strength of which shall be determined from time to time

27. See text of treaty in *Near East and India*, XXXVIII, 98-9; also in *Information Service*, Foreign Policy Association, Vol. VI, No. 12, Appendix, pp. 244-6; and cmd. 3627.

28. Ratifications exchanged, Bagdad, January 26, 1931, cmd. 3797.

by herself after consultation with the king of Iraq (see Annexure 1).<sup>29</sup> "Special guards" from the Iraqi forces for the protection of these air bases shall be provided, but at British expense. Leases for these sites shall be granted for the period of the treaty.

It is stated in the Annexure, however, that Great Britain is not to have the privilege of stationing forces at the above-named localities until the treaty has been in force for five years. In the meantime she "shall maintain forces at Hinaidi," during this period only, "in order to enable" the "king of Iraq to organize the necessary forces to replace them." And "it shall be also open to" Great Britain "to maintain forces at Mosul for a maximum" of five years following the entry of this treaty into force (Annexure 1).

Iraq is to take the "necessary steps to insure that the altered conditions will not render the position of the British forces as regards immunities and privileges in any way less favorable than that enjoyed by them at the date of the entry into force of this treaty." Iraq is "to provide all possible facilities for the movement, training and maintenance" of these forces (Annexures 2 and 3). The presence of these troops "shall not constitute in any manner an occupation and will in no way prejudice the sovereign rights of Iraq" (art. 5).

There is a definite effort to maintain an intimate articulation between the military organizations of the two countries, including the expressed "desirability of identity in training and methods between the Iraq and the British armies" (Annexure 6). Great Britain "undertakes to grant whenever they may be required .... all possible facilities .... the cost of which will be met by .... Iraq" in the following respects:

- I. (1) Naval, military, and aeronautical instruction of Iraqi officers in the United Kingdom.
- (2) The provision of arms, ammunition, equipment, ships and aeroplanes of the latest available patterns.
- (3) The provision of naval, military and air force officers to serve in an advisory capacity with the forces of Iraq.
- II. (1) Should the king of Iraq feel the need of military instruction from abroad this was to be British.
- (2) Should any personnel of the Iraqi forces be sent abroad for military training they are to be sent to British schools or training centers whenever it is possible to receive them.
- (3) The "armament and essential equipment" of Iraqi forces "shall not differ in type from those" of British forces.<sup>30</sup>

29. The Annexure is an integral part of the treaty (art. 6).

30. Annexure 5 and 6.

Iraq agrees "to afford, when requested, . . . all possible facilities for the movement of the forces" of Great Britain, "of arms in transit across Iraq and for transport and storage of all supplies and equipment that may be required by these forces during their passage across Iraq. These facilities shall cover the use of the roads, railways, waterways, ports and aërodromes of Iraq, and His Britannic Majesty's ships shall have general permission to visit the Shatt-al-Arab," provided Iraq is notified of their coming (art. 7).

This treaty was to displace those of 1922 and 1926 with all the subsidiary agreements connected therewith. At any time after it has been in force for twenty years the parties thereto "will, at the request of either of them conclude a new treaty which shall provide for the continued maintenance and protection in all circumstances of the essential communications of His Britannic Majesty. In case of disagreements in this matter the difference shall be submitted to the Council of the League of Nations" (art. 11).

In the summary of notes exchanged, June 30, 1930, between Sir Francis Humphreys, the British High Commissioner, and Noury Said, the Iraqi Foreign Minister, it was agreed that all outstanding financial questions should form the subject of a separate agreement<sup>31</sup> but which should be an integral part of the above treaty. This agreement, *inter alia*, provided for transfer to Iraq of the following: (a) the aërodromes and encampments, within five years after the treaty went into effect; (b) the railway system, by means of a corporation organized for the purpose and "as soon as possible"; (c) the port of Basra, by means of a port trust as soon as Iraq had enacted the necessary legislation. Iraq declared that when in need of the services of foreign officials she would normally engage British subjects when suitable ones were available. The validity of contracts existing between the Iraq government and British officials was not to be affected by the new alliance. Iraq declared her intention also of asking for a British advisory military mission.

While this new treaty was a distinct step in the modification of Anglo-Iraqi relations, particularly when considered as including the anticipated membership in the League of Nations, the modification may be easily overemphasized. Potentially at least, a cordon of control is kept intact. The external contacts through the means of communication and transportation are in British hands. We have seen something of the effectiveness of air control in this desert environment. The Imperial Airways, Ltd., with its five-thousand-mile route from London to Karachi (Kurrachee, India), has the longest organized air route in

31. For this agreement see cmd. 3675.

the world. It includes a semiweekly service from Cairo to Bagdad and Basra. Though subsidized by the British government it is said that in the last few years flying from the east end of the Mediterranean to the heart of the Middle East is rapidly becoming self-sustaining. The Nairn Eastern Transport Company, also British, is doing an expanding passenger, mail, and freight service over its five-hundred-mile motor-car route from Haifa and Beirut to Bagdad. This has been extended to the Persian capital, Teheran. A pipeline between Mediterranean ports and Bagdad is near completion and a railway between the same is in the program of anticipated British developments.<sup>32</sup> It is to be noted, too, that Iraq's sole water outlet to the world beyond is here by definite agreement, potentially anyway, a special preserve of the British fleet which needs only to notify His Majesty the King of Iraq of the advent of this Mistress of the Seas.

Other provisions regarding the advisory relationships to be continued, along with those respecting the equipment and training of Iraqi defense agencies, complete the framework of formal peacetime control. The provisions relating to the development of any threatened aggression against Iraq are such as may be construed to warrant complete British dominance of the resources and national life of the proposed independent state.

A new judicial agreement,<sup>33</sup> which replaced that of March 25, 1924, abolished at once the old agreement regarding foreigners and set up "a uniform system of justice . . . applicable to all 'Iraqis and foreigners alike" (art. 2). And then, "to facilitate the establishment and working of the new system," it was agreed that "a limited number of British experts in the Ministry of Justice and in the courts of 'Iraq" should be selected by the "king of Iraq with the concurrence of His Britannic Majesty" to serve Iraq and that these experts should be given judicial powers under the laws of Iraq. It is later specified that this group of experts shall be nine in number and shall be employed for ten years. They shall normally fill the following places: judicial adviser, president of the Court of Appeal and Cassation, and presidents of the Courts of First Instance at Bagdad, Basra and Mosul.

The new Anglo-Iraqi relations resting upon these agreements, and beginning with Iraq's admittance to the League, must impress the reader as much of a continuation of the old order. It is a difference of

32. See Elizabeth P. MacCallum, "Iraq and the British Treaties," in the *Information Service* of the Foreign Policy Association, Vol. VI, No. 12, p. 226.

33. Ratifications exchanged at Bagdad, May 21, 1931, cmd. 3933.



degree rather more than of kind, but the psychology is notably changed. The hated mandate with its implications of foreign dominance is gone.

### *Iraq's Admission to the League*

On October 1, 1932, the Sixth Committee of the Assembly of the League had before it the report of its own subcommittee (Chairman, M. Yevtitch) to the effect that Iraq had complied satisfactorily with the usual questions applied to proposed new members. These questions are: (1) Is her application for League membership in order? (2) Is she recognized *de jure* or *de facto*, and by what states? (3) Does she possess a stable government and fixed frontiers? (4) Is she fully self-governing? (5) What have been the acts and declarations of Iraq with regard to: (a) Its international obligations? (b) The regulations of the League concerning armaments?

The first, second, and fourth were answered in the affirmative. As to the second, it was said that Iraq had been recognized by various states and that she had adhered to the peace pact (Paris peace pact). As to the fifth it was said that the Permanent Advisory Commission for Military, Naval and Air questions regarded Iraq as satisfactory.

In the brief discussion of the report in the Sixth Committee the Swiss member, though greatly pleased with Iraq's prospective admission to the League, expressed anxiety as to the Assyrians. At this juncture Viscount Cecil, for Great Britain, said that both the foreign office and British authorities in Iraq had considered this question and upon "specific assurances" therefrom the British government had concluded it would be better for both Iraq and the Assyrians that Iraq go into the League. "If anything went radically wrong, the League could take action, but personally, he was sure that nothing of that kind would occur." The committee then unanimously approved the report and a recommendation of Iraq's admission.<sup>34</sup> On October 3, the Assembly, fifty-two states participating, voted unanimously for Iraq's admission.

Rapporteur Yevtitch (Yugoslavia) told the Assembly that it was a good omen at a time when "a wind of pessimism seems to be sweeping through Geneva, spreading doubts as to the vitality of our institution."<sup>35</sup>

M. Lange (Norway), chairman of the Sixth Committee, said, "It is right that recognition of such independence should be conditional upon Iraq's entry into the League, the first official manifestation in history of the interdependence which must necessarily exist between nations,

34. Thirteenth Ordinary Session of the Assembly, Minutes of Sixth Committee, p. 15.

35. Records of the Assembly, p. 47.

for nowadays more than ever before, interdependence is the logical corollary of independence." As to Iraq's obligations to minorities he said that they "must know, as .... Iraq must know, that there are around them in all the other countries currents of opinion which represent the interests they are themselves defending, and which will follow with the closest attention the development of the state of Iraq and the fate of the different elements in her population."<sup>36</sup>

Then, on the same day, Iraq's delegates to the Assembly were on the spot and their credentials were accepted. Following this came speeches of welcome and felicitation. M. Politis (Greece), President of the Assembly, said, "Now after many centuries of domination, Iraq has at last recovered her liberty, and she may, if she so wishes, revert to the traditions of the fabulous civilization whose glory and splendor the names of Nineveh and Babylon have perpetuated in the memory of mankind. Henceforward you shall know no other form of submission than that which is known to all of us here: obedience to the rules of international law and respect for the general obligations specifically towards the League of Nations." This event further signified that the "institution of mandates is not, as its detractors and those of the League may have thought, a hypocritical mask for annexations in disguise, but a necessary apprenticeship ...." for liberty. "The League thus gives the lie to those who bring against it a charge of perpetuating existing situations and obstructing the normal course of life; for it shows that .... it does .... afford an opportunity of attaining by evolution what otherwise could in most cases only be obtained by revolution."

Noury Said, Iraq's prime minister and the first of her two delegates here welcomed, was grateful for the Assembly's references to the greatness of His Majesty King Feisal. He hoped to see admitted to the League "within a short time .... our brothers whose destiny has not yet been decided." Referring to Great Britain's services with Iraq, he said, "It is by governing that one learns to be a good governor. The example given by the greatest empire deserves to be studied and followed. In expressing our sincere and abiding gratitude to the British people, we know that we are interpreting the sentiments of all our people."<sup>37</sup>

Sir John Simon (Great Britain) also saw what they had done as a "sufficiently emphatic answer to that suspicion ...." of "critics and cynics who hinted that the whole mandatory system had been devised merely as a cloak for colonization and annexation .... we should be

36. *Ibid.*, p. 48.

37. *Ibid.*, p. 49.

dull in the historic sense today if we did not find something infinitely striking in the fact that we are admitting by the path of article 22, to full membership of the League the newest of states but one of the most ancient of countries."<sup>38</sup>

Thus were concluded the commencement exercises of the first, and so far the only, graduate pupil of the League of Nations' tutorial school for backward peoples. The importance of this event as a precedent in the relations between so-called advanced and backward peoples remains for future history to reveal. But the organizational background, the technique and the considered legal elaboration of the procedure involved, and the prestige of the major participants must be powerful determinants in setting up international behavior patterns in these relations.

38. *Ibid.*, p. 50.

## Chapter Thirteen

### THE STORY IN BRIEF

THE ADMISSION, October 3, 1932, of Iraq to the League of Nations, and hence to the family of nations, marked the emancipation of this venerable human habitat from the formal legal status and the supervisory relationships of the mandatory régime. The attainment of her "majority" among the politically equal communities of the world, by an area traditionally known as the cradle of the race, and under the auspices of the most formidable concert of world powers in history, terminates a unique and significant experiment in human relations.

This emergence of Iraq cannot be even superficially understood without a survey of world forces which have played in and about Iraq throughout history. Its position has ever been strategic and its rôle varyingly, but continuously, cosmic. As she starts in the morning of her new political course Iraq is singularly the amalgamation of, and the expression of, all that has gone before.

We have seen that, whether or not, as tradition claims, this area was the Eden of the race, it is inseparably and intimately connected with the origins of human culture. Here lie buried the seats of most of the great imperial powers of the ancient Orient. Here the hordes of mountain, plain, and desert have fought for the fertile strip through the unnumbered millenia of our distant and recent past.

From the vicinity of this culture crucible came Judaism and Christianity, with their world ideas of monotheism, human brotherhood, and service to mankind. To both these dominant religions of the western world came notable contributions from this land of Hebrew captivity. Among the most important later contributions came the synagogue and the Christian church, which were to be the pattern for the mosque. The West, in the forefront of scientific world advance, now pays tribute to Iraq's past achievements by making her one of the most, if not the most, intensive and extensive of archæological rendezvous.

As culture expanded there came out of the rising life of Europe, Greece and Rome, presaging the interests of their western successors,

with their imperial objectives in and about Iraq. Grecian and Roman attempts at world states failed on the problems of the cultural complex in the diversity of social forces, from within and without. During the subsequent period of otherwise comparative quiet in western Asia arose the Mohammedan religion upon the conquests of which rested the great Arabian culture with its Golden Age under the Abbassids at Bagdad. This world state, after five centuries of greatness, much of it unparalleled, declined under the impacts of the combatant forces of European crusade and eastern Mongol horde.

And then, when the western nation-states and nation-empires, which had grown up on their oriental cultural inheritance, faced one another in the World War, the stakes of widest common interest were in this same Near and Middle East.

The greatest of the contenders at this time was the world's greatest colonial power, whose vast patrimony might well be balanced about Bagdad as an imperial pivot. Statesmen of imperial Europe came to the war flushed with the consciousness of a general convergence towards this quarter for the past generation. The second world power had recently maneuvered masterfully to direct a transportation line straight through this prospective pivot of the first world power's patrimony. Considerations of real world politics cast their spell upon imperial leaders, long historically minded with respect to this area. The place of Iraq in the contemplated aerial integrity of the British Empire, the British oil interests in Persia and the supposed fabulous oil resources in Mosul, with the recent and seriously considered emphasis upon the oil-burning navy, made Iraq in 1914, perhaps more than ever, a thing with which imperialists might conjure.

Great Britain immediately used the occasion of the war to seize almost the whole of the Near and Middle East, including Iraq. This interest of hers, which had waxed and waned since the sixteenth century, here reached its fulfillment.

But the ultimate issues of the war were determined by such a major portion of mankind that the results were directed, not in the exclusive interest of any single state or group of states, but, in a significant measure, towards the general interests of mankind. Far more than at the conclusion of any preceding world struggle, those world ideas whose origins are so intimately associated with the Two Rivers country, again seized upon men's thoughts and emotions.

And it is significant that these noble oriental ideas now received their greatest emphasis, not from the East, and not from Europe, but from isolationist America. The latter was, in consequence of the

relative degrees of exhaustion of the belligerents and of the unprecedented prestige of her idealist president, in position to make her disinterested influence most effectively felt in behalf of those whom the old order would have disposed of in the old way. In this opportune time was born the mandatory system, designed to give a death blow to the imperial profits so long motivating colonial struggles. America's tutelary experience with more than thirty frontier communities of her own was back of the idea. But America had no monopoly in this political conception. General Smuts, from another frontier area, shared with Wilson the honors of pouring this democratic confluent into the world current of political and social justice. And Great Britain, venerable colonial mother that she was, though her dominant statesmen of the crucially reconstructive hour could hardly advance voluntarily to the conception of the "sacred trust" as applied to the ultimate freedom of backward colonials, has demonstrated her superb colonial technique by carrying to fruition this first concerted application of that conception. So if there be those who would argue the point of distributive honors due, let them determine the relative merits of him who successfully urged adoption of the scheme and him who successfully executed it. Generosity requires even more than the compromising conclusion that it was an Anglo-Saxon achievement. It was much of a world achievement.

The actual execution of the project was, however, fundamentally British. The traditional "muddling through" policy here again characterized British procedure. This was the more to be expected owing to the lack of precedent and to unforeseen developments. Adversely, the idealistic America of Wilson recoiled into the ultra-isolationist America of Harding. On the other hand, Europe and Great Britain having been once, in a moment of duress, committed to the ideal, found its world scheme increasingly pertinent to unforeseen and repeated emergencies. Great Britain, thanks to her inherent liberalism, became more and more a major support of the new order. Being herself the center of an association of nations, accommodation and transition to the larger association of the League was found the easier. Administrative and economic problems within the empire, and the hazards of international policy without, made the more acceptable this larger view. In it could be comprehended the loosening ends of the old British imperial supremacy.

Inconsistencies and contradictions have characterized many a turn of British policy. Whatever of annexationist intentions were back of the Sykes-Picot agreements for partitioning the Ottoman Empire these

were thwarted by Allied rivalries, by American opposition without and by Arab national self-consciousness within. The exigencies of the war and Arab group consciousness combined to drive both Great Britain and France into such liberal commitments to the Arabs that their imperial aims were bartered away by various announcements, proclamations, and definite agreements. If British imperialists and militarists sought, with the approach of victory and thereafter, to scrap promises to the Arabs by T. E. Lawrence and others, and to pay the costs of the war out of Turkish spoils, they, too, were thwarted. A persistently stubborn Arab opposition, even to the point of revolt, with the consequently increasing burden on British taxpayers and the accompanying advance of British liberal opinion, stood in the way.

Iraq was apparently the last stronghold of British hope for a share in the Turkish débâcle. Even Feisal, while at Paris, and still anticipating the Syrian crown, expressed himself as favorable to the exploitation of Iraq by some foreign power, presumably Great Britain, but this bit of cold imperial bargaining was destined to be cruelly marred by the French. Then Feisal, being lamentably crownless, had to be provided for elsewhere. Palestine was to be a Jewish national home; only Iraq was left.

The loss of Syria as the outstanding hope of Arab national sentiment resulted in a marked migration of that sentiment to the next most promising area of Arab freedom. Receding into Iraq the disappointed but vocal and determined Arab nationalists projected their aims anew. British foreign policy had to adjust itself accordingly, and could not surrender Iraq to revolution. Prestige of British arms and integrity of empire were to be preserved even though Arabs and Feisal must have a state and a crown.

At this juncture (1920) the mandatory system possessed a peculiar virtue. In it Great Britain found a cogent argument against the Iraqi opposition. The League's scheme for tutelage of backward peoples seemed only a new version of the "white man's burden" and such a call from the major portion of mankind could not be resisted by any self-respecting nation! To be sure the nearby Armenian call for tutelage went without response, but that was mainly a religious consideration! Iraq was different; strategic and economic interests were involved. But this venerable colonial mother is again compromising with the new order. She might at times use the argument of conquest against Turkey, now for Iraq and then for Mosul, but the call of the League, when the Iraqis sought freedom by revolution, was most opportune and irresistible. It was a call of humanity! And so it was.

If there was inconsistency in Great Britain's fighting (1920) to retain under her control an area which she had fought (1914-18) to set free there was all the time evolving something of a harmony in Anglo-Iraqi-League interests. Great Britain wanted, *inter alia*, integrity of empire, and that, in some respects, might be the better obtained under League auspices than otherwise. Iraq needed territorial integrity, defense against her neighbors, and guidance in self-control. The League could only succeed in its ideal project by use of a powerful and interested mandatory. During this transition from a scheme originally designed as colonial to one finally designed as mandatory the British were severely put to their wits in honorably freeing themselves from an enterprise destined to be less profitable than at first anticipated.

As for the Iraqis, they were, owing to their previous centuries of oppression, to be continuously mistrustful and suspicious of their new master in the guise of tutor. Their British-made king, though fully and, at times, fervently recognizing the power behind his throne, was by no means to be free from similar misgivings.

Iraq was only one of fourteen mandated units divided into three classes of mandates, "A," "B," and "C." While these different classes were designed to fit different stages of cultural advance, and hence, to represent different degrees of control, Iraq has, in her own class—"A"—been uniquely distinctive from Syria and Palestine, the other two of her class. Any detailed comparison to accentuate this distinctiveness has been beyond our present purpose. Suffice it to say that while the greater cultural advancement of Syria might be sufficient grounds for an anticipated earlier emancipation of that area from the mandatory system than has been the case with Iraq, it is well to keep in mind that France is not Great Britain and that Feisal lost to Syria is Feisal gained to Iraq.

Insularity, varied world contacts and unexcelled colonial experience have produced a liberal British imperialism that finds somewhat greater unity in fragile than in strong bonds. But the mandatory system would upset the British colonial technique now fixed in the habits of centuries, and none knew whether the idealistic innovation would work. The political leaders of Bagdad interpreted "mandate" as a grant of unrestrained power, not an order to administer in the name of Iraqi welfare with the mandates commission and world opinion keeping watch. The implications of the latter increased British desire for a clear conscience in such administration.

Under the circumstances a treaty would relieve both Iraqi mistrust and British restraints under the proposed mandate. But League super-



vision was inescapable. So British statesmen evolved a compromise in which the League yielded to the British-created idea that the unforeseen Iraqi advancement towards freedom called for a special type of "A" mandatory relationship. What has been regarded as "the mandate for Iraq"<sup>1</sup> is little more than an instrument of acceptance, by the Council, September 27, 1924, of the treaty,<sup>2</sup> with its subsidiary agreements, as an adequate substitution for the intended mandate.

Previous to this formal institution of the mandatory régime the following developments had taken place: Military occupation, beginning in October, 1914, with military law in complete control, came to an end with the establishment of a civil régime under the provisional Council of State, November 11, 1920. The latter, set up by proclamation of Sir Percy Cox, the first high commissioner, was, under supervision, responsible for domestic control. Foreign and military matters were left to the High Commissioner, who remained constitutionally responsible for the government. He approved the resolutions of the Council of State, enacted legislation and directed British administration. In August, 1921, Feisal became king and in the following September the first council of ministers was set up by royal decree. Legislative and executive decisions by the council of ministers came to the king and High Commissioner, the latter making his comments thereupon before approval by the former. The High Commissioner, likewise could insist upon his wishes in judicial matters. Signing of the Anglo-Iraqi treaty, October 10, 1922, and of the subsidiary agreements thereafter, strengthened the position of the king, who was regarded, meanwhile, as actually responsible. A popular assembly accepted, conditionally, June 10, 1924, the treaty and, July 10, 1924, accepted the ready-made constitution handed them by British advisers.

Here British officials became responsible to the Iraqi government, though the High Commissioner was yet, under the treaty, to advise the king who was to be guided thereby. The first government under the new constitution came to power in July, 1925.

In the meantime the requirements of international law respecting the release of Iraq from Turkey had been met by the Treaty of Lausanne, ratified August, 1924, and the Council of the League had, during the next month, accepted Great Britain as the full-fledged mandatory with the definite commitment that the mandatory régime should terminate upon Iraq's admission to the League. In December, 1925, the Council had also accepted the recommendations of the Commission of Enquiry for the relinquishment of Mosul to Iraq, and the signing of

1. Appendix 1.

2. Appendix 2.

the tripartite Treaty of Angora, January, 1926, met the international legal requirements involved. The latter also removed the condition under which the Iraqi assembly had accepted the original treaty establishing the mandate.

The completion of the legal acquisition of Mosul had no sooner become Iraq's best reason for consenting to the mandatory régime than she maneuvered to be rid of that very régime under which she had won the coveted prize. She would ignore, too, the Commission of Enquiry's recommendation that she receive Mosul on condition of the twenty-five-year extension of the tutelary period. She would not hesitate under the contemplated new order to face the problems relative to the Kurds, and other racial and religious minorities, problems over which the Commission had expressed great concern. Instead of the conditional promise of emancipation for 1932, as provided in the ill-fated treaty of 1927, she would have nothing less than an unconditional promise of the same for that date.

The British urged obligations under the League as a basis for delay. It was with extreme reluctance that certain Britishers saw the colonial fleshpots recede with the prospective advent of statehood in Eden. But if evidence could be found that the Iraqis had advanced in the art of self-government far beyond British anticipation, it would, under the circumstances, prove to be a most convenient fact. It was so discovered. But Iraqi demands pressed hard upon British willingness for release.

An interesting aspect of this entire project has been its varied conflicts in responsibilities. On the part of Great Britain there was the clash incident to her responsibilities to British opinion, controversial and transitional; to Iraqi opinion, politically very sensitive; and to world opinion, scrutinizingly critical. On the part of the Iraqi cabinet there was a clash incident to their responsibilities to the Iraqi parliament, keenly nationalistic; to the British High Commissioner, sensitive to the totality of British involvements; and to the League, wherein they sought membership at the earliest possible moment.

Iraqi impatience grew almost to the breaking point in 1929 during an energetic drive for reorganization of governmental departments looking to an independent status. New contracts with foreigners would not be made nor old ones renewed. The conscription bill which the British had consistently opposed for four years was to be submitted to Parliament. The Iraq Petroleum Company was to be pressed in fulfillment of contracts for oil development. But when acting High Commissioner Young would not assume responsibility for such precedents the able prime minister and venerable statesman, Sir Abdul Muhsin

Beg, committed suicide (November 13, 1929). In a farewell letter to his son the Prime Minister said, "The nation expects service, but the British do not agree to our demands." Young, with no little appropriateness, interpreted the Prime Minister's act as resulting from a "conflict in loyalties." This conflict in loyalties and the dangers of more serious differences hastened the formulation and acceptance of the new treaty of 1930.

In the case of Great Britain it has been charged that she has yielded too much to the ardent Arab national self-consciousness; that the Iraqis have wanted the symbols of independence: independent status, a king, an elective assembly, a constitution, an army and League membership. The cry for Arab nationalism, it is said, has "drowned the still small voice of the League conscience in the mandatory's ear; that Iraq was allowed to run before she could walk; that the interests of the non-vocal section in which the League had an equal, if not a greater interest, was neglected; that Bagdad was mistaken for Iraq."<sup>8</sup>

This speed in the final phases of the making of Iraq is only another of the many striking aspects of this unprecedented instance of state-making. But we must give some special emphasis to another important element, not only as affecting the speed of the process, but as giving balance and assurance in harmonizing the diversity of factors involved. This element is King Feisal himself. It is widely acknowledged that the successful launching of Iraq is to no small extent due to the untiring energy, solicitude, and sagacity of her first king. He was born, May 20, 1883, and died September 8, 1933. His fifty years included such varied experiences as Bedouin chief, commander of Turkish troops to quell an uprising in Asir, member of the Ottoman Parliament from Jeddah, commander of the Arab army with General Allenby in taking Palestine, active participant in the Paris peace conference, brief occupant of the Syrian throne, diplomatic representative of Hussein in London, and first king of Iraq (1921-33).

We have called him an English-made king, but his courage, his ability and his personality, all uniting in a leadership which was outstanding, under the circumstances, were his own. He had the courage to defy the caliph and the resourcefulness to convince his fellow Mohammedans that it was more pleasing to Allah to fight the Turk for freedom than to heed the caliph's call to a jihad. He so cast his magic spell over T. E. Lawrence and Gertrude Bell that these two unusual persons became most effective agents for Arab freedom with the British

3. *Memorandum on the Termination of the Mandatory Régime in 'Iraq*, by Royal Institute of International Affairs, 1932, p. 37.

public. Sir Henry Dobbs, who as British High Commissioner in Iraq, knew Feisal long and intimately, saw him as standing "in the eyes of the British public as an almost legendary hero, a modern Saladin, the last representative of Asiatic chivalry, endowed with every charm of manner and person. He was and is a truly kingly figure. . . . Through all these struggles King Faisal kept himself well in the van of the popular movement. It was always he who carried the flag. It was always he who returned bearing in his own hands fresh concessions, won mainly by his personal diplomacy. There can be no doubt that it is mainly to His Majesty that Iraq owes her present political status."<sup>4</sup>

Feisal's task in Iraq was a difficult one. He was not only British-made but made just following the British overthrow of the Iraqi revolt (1920). He was therefore suspect to the Iraqi masses. He was not only a stranger to Iraq but was a Sunni Moslem whereas the great majority of the Iraqis were Shiah. There was as yet little spirit of unity and nationality. He is said to have "wooed difficult people from scarcely veiled hostility to his person, to toleration and finally to confidence and love."<sup>5</sup> The nineteen-year-old Ghazi, successor to Feisal, will have the advantage of the prestige and the profound inspiration from the eminent career of his distinguished father.

The new state, with some three million peoples unusually diverse in religion, race, and language, preponderant numbers of whom are only now beginning to yield to social articulation, faces serious problems in consolidation and defense of its 116,000 to 120,000 square miles of territory. The factors involved are suggestive of the complexity in her past. The apex of her triangular area rests upon the head of the Persian Gulf, her outlet to sea, skirted by powers of no mean enemy potentialities. Her six- to eight-hundred-mile-long laterals lie open, as in ages past, to the more scantily fed and unsettled hordes of east and west. The danger from the east is the more threatening because of its connection with the internal conflict between Shiah and Sunni. The great mass of the Shiahs live in Persia while their holy cities are in Iraq, which is the home of considerably more Shiahs than Sunnis. The dominant element of Iraqi control, including the king and a great majority of other officials, is Sunni, while the Shiahs are inclined, in fundamental belief, to be more or less impractical and mystic. Their influence at Teheran would, in the absence of Anglo-Iraqi alliance, leave a distinctly insecure exposure in the frontier to the east. In the

4. Speech before Royal Empire Society, February 15, 1933, *Near East and India*, February 23, 1933, pp. 148-9.

5. *Near East and India*, September 14, 1933, p. 761.



Arabian desert to the west is still found that ages-old and well-nigh inexhaustible horde of hungry and raiding nomads with their penchant for an eastward drift.

Ibn Saud, the astute Wahabi chieftain in that quarter, is said to have ambitions to Arab leadership and must be taken into the reckoning as to Iraq's future. His spectacular rise to power since the World War has included the following: capture of the oasis of Khurma from Hussein on the west of Arabia; absorption of the Shammar territories about Hail on the west border of Iraq; complete overthrow of the Hedjaz (1925), including Mecca and Medina, and his assumption of the kingship there after the exile of Ali who had reigned only a few months following his father Hussein's abdication; exchange of title of sultan of Nejd for king of Nejd and later a combination of all territories as the Saudian kingdom of Arabia; extension of power over the Asir; and finally a severe chastening of the Yemen (1934). Recent agreements between Ibn Saud and King Feisal, with the Anglo-Iraqi alliance in the background, seem an adequate safeguard for Iraq's immediate future.

The best hope for ultimate and satisfactory settlement of the Kurdish and Assyrian problems doubtless rests with the fulfillment of the Anglo-Iraqi alliance and the Iraqi declaration of pledges to the League of Nations. Back of both these sets of obligations there seems to be, if no official commitment, an understanding that, if Iraq proves to be unworthy of the trust reposed in her, Great Britain will be morally responsible therefor. Sir Francis Humphreys, High Commissioner, expressed in June, 1931, such a view before the mandates commission which gave considerable satisfaction to that anxious body. The League will probably be in position to exercise a wholesome influence upon her diminutive and bantling ward.

That the scene of this social experiment, the first of its kind, should have its setting in this cradle of the race, has been, we hope, measurably explained.

Iraq is the first offspring of the avowed principle of the sacred trust of civilization, begotten under a world compact and in concerted action. In any case, her conception, birth, training, and release to the freedom of the social order, place upon the whole of society, not merely Great Britain, nor Iraq, nor even the League of Nations, responsibility involving the perpetuity of civilization itself. It is a test of humanity.



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# INDEX

- Abbassids, come to power, 19  
 Agriculture: source of state revenue, 243; dominant interest of country, 246; British in, 246 ff; cotton production, 248  
 Ali: contends for power, 18; assassinated, 18; sons to take up cause, 18  
 Anglo-Iraqi treaty (1922): signed, 115; provisions of, 116 ff; protocol to (April 30, 1923), 117; subsidiary agreements signed, 121; accepted by national assembly, 122-3; ratified, 124; Council of League accepts treaty for mandate, 125  
 Anglo-Persian Oil Company: British seek to protect its wells, 36-7; aid to British cause, 54; shares Iraqi oil with American companies, 141  
 Anti-Mandate agitation: radical press and Bagdad politicians oppose, 113; Cox offended thereby, 114; British opinion and, 114  
 Arab, The: origin and early history of, 11-2; intimacy with the Jew, 11-2; character and classes of, 12-5; uses opportunity for freedom, 62-3  
 Asquith, Premier, reasons for sending troops into Persian Gulf, 37  
 Auqaf department, set up, 66  
 Babylonia (*see* Chaldea): 3; talmudic schools in, 6  
 Bagdad: Vilayet of, 3; seat of Abbassids, 19 ff; center of great world culture, 20-3; deterioration, 23-5; permanent residency at, by East India Company, 31; military objective of British, 40-1; taken, 42  
 Bagdad railroad: a British road projected, 32; German interest after 1871, 32; France and Russia interested, 33; influence in World War, 35  
 Basra: vilayet, 3; records found, 55; climate at, 261  
 Bell, Gertrude: on British diplomatic relations in Persian Gulf (1914), 37; with Feisal at peace conference, 93; at Cairo conference, 94; on Iraqi view of mandate, 97, 113  
 Cabinet: in the constitution, 190; under provisional government, 227; in action, 267-8; suicide of prime minister, Abdul Muhsin Beg Al Sa'dun, 269  
 Churchill, Winston: interest in oil-fired navy, 36; at Cairo conference where Feisal is selected for king of Iraq, 94; views on Anglo-Iraqi relations, 98; advised by Lawrence, 223; military situation, 234  
 Clemenceau: at secret conference, 44 ff; attitude on Wilson's commission, 48-9  
 Commerce and Industry: Table on, 249; transit trade, 250  
 Commission of Enquiry: on Mosul question, 155; personnel, 156; at Bagdad and Mosul, 157-9; its report, 160 ff; summary of its conclusions, 165-7; its report before Council, 167 ff  
 Conservation of land and human resources: general discussion, 207 ff  
 Constitution, The: other constitutional documents, 180; relations to Anglo-Iraqi treaty (1922), 180 ff; of western sources, 182  
 Cox, Sir Percy: political adviser accompanying Indian troops, 41; advises attack upon Bagdad, 41; appeals to Arabs at Basra, 53; on difficulties with holy cities, 57; father of new political régime in Iraq, 63; becomes civil commissioner, 64; at Cairo conference, 94; on Iraqi view of mandate, 97; first high commissioner of Iraq, 225; assumes royal function, 232  
 Curzon, Lord: in diplomatic correspondence with American secretaries of state, 106-7; on use of oil in the war, 130; represents Great Britain in Lausanne Conference, 142; argues for frontier line,

- 142 ff; uses conquest argument, 144; suggests that League be arbiter in Mosul issue, 148; threatens appeal to article 11 of Covenant, 149
- Dobbs, Sir Henry: revenue officer at Basra, 55; and commission of enquiry, 157 ff; on compulsory military service, 236; on efficiency of Iraqi police, 238; on Iraqi taxation, 242; on Iraqi parliament, 270; on Feisal, 303
- Education: special attention to, 66; motivated by cultural superiority of Syria, 205; use of Arabic, 205; early steps in, 205-6; department of, set up, 215; complicated by linguistic and religious differences, 215-6; higher, 217; military college, 234; artificial attitude towards, 254-5; Arabic a stimulus to, 255; classes of schools, attendance, and curriculum, 257-60
- Feisal: and his brothers, 38; education of, 38; coöperates with General Allenby, 40; estimate of, by T. E. Lawrence, 71; British gold at his disposal, 72; assumes control in Syria, 72; visits France and England, 73; returns from Paris disappointed, 74; as opportunist in Syria, 78; his memorandum to peace conference, 92; chosen as king at Cairo, 94; made king of Iraq, 95; his statement on becoming king, 96; his proclamation on ratification of treaty, 115; in campaign to elect first national assembly, 120-1; reaction to decision on Mosul issue, 176; interested in agriculture, 247-8; death of, 302; estimate of, 302-3; succeeded by son, Ghazi, 303
- Finance: in the constitution, 192-3; under British control, 238; connected with Mosul issue, 239; Hilton Young mission on, 239; Ottoman debt and, 239-40; Table on financial status of government, 241; decline in tutelage personnel on, 242; state finance and agriculture, 243; question of a national currency, 244
- George, Lloyd: at secret conference, 44 ff; had secured Mosul from Clemenceau, 46; attitude on Wilson's commission, 48-9
- Health: applied to man, animals, and plants, 260; the marsh areas, 262; institutions established, 263; diseases and statistics of health service, 264-5; international conventions on, 266
- Hussein, Sherif of Hedjaz, 38; agreements with Great Britain, 39; ambitions of, 70
- Ibn Saud: in conflict with Hussein, 70; gets British gold, 70; treaty with Iraq, 287; ambitions for Arab leadership, 304
- Iraq (*see Mesopotamia*): a culture crucible, 2; name and location, 2-3; early history of, 4-8; Eden and, 4; "Ur of the Chaldees" in, 5; Hebrew captivities in, 5-6; origins of Judaism and Christianity in, 5-7; fertility of soil, 7; imperial strife and greatness in, 7-8; archæological interests in, 8-9; play of world ideas in, 10; taken by Islamic conquests, 17; seat of world power and culture, 20 ff; deterioration, foreign interference, and destruction of Saracenic civilization in, 23-5; military occupation of, 36; gets a king, 95; under treaty and mandate, 125; interests of, in Mosul, agree with British, 127; wins Mosul, 177; terminating the mandate, chapter xii; foreign relations, 287; admitted to League, 292 ff; population and area of, 303; first graduate pupil of League's tutorial school, 304
- Iraqi: hybrid, 12; essentially Arab, 26; use of arbitration, 56
- Irrigation: Turkish projects, 244; kinds of, 245; connection with drainage, sanitation and health, 245
- Islam: rise and conquests of, 15-7; strife and schism in, 17-9; Persian influence in, 18-9; not to be offended by military occupation of Iraq, 36
- Ismet Pasha: represents Turkey at Lausanne Conference, 142; argues for all Mosul vilayet, 142 ff; wants plebiscite applied to Mosul, 143
- Judiciary, The: in the constitution, 190-2
- Justice and Courts: use of *sheik* and *suyi-yid*, 206; Tribal Disputes regulation in force, 207; blood money, 207; improvements in courts and law, 213-4; extension of judicial service, 266
- Kerbela, scene of Hosein's death, 18
- King, The, as in the constitution, 186-7
- King-Crane Commission: in near east, 74-6; its report, 90-1; report not revealed till 1922, 133
- Kufa, scene of Ali's assassination, 18
- Kurds: discussed at Lausanne Conferences, 142 ff; widely scattered, 151-2; *see* report of commission of enquiry, 160 ff; question of, 174; question not settled, 177

- Laidoner Commission: to secure facts as to violation of *status quo* line, 169
- Lawrence, T. E.: to manage Hedjaz revolt and advise Feisal, 40; fails to lift siege of Kut, 41; on Iraqi revolt, 84-5; with Feisal at peace conference, 93; at Cairo conference, 94; advises Churchill, 223
- Mandate for Iraq: in San Remo agreement, 93; views of Cox and Gertrude Bell on, 97; *Manchester Guardian* on, 99; Hyman's report to League Council on, 100; schools of British opinion on, 101 ff; summary of events on, 104; Fisher announces change of British view from mandate to treaty relation, 109-10; Council of League accepts treaty in lieu of mandate, 125-6; completed only by ratification of Treaty of Lausanne, 199; Great Britain eager to be rid of, 277
- Maude, General: takes Bagdad, 42; dies, 42; proclamation at Bagdad, 60-1
- Mesopotamia (*see* Iraq): name and location, 2-3; controls Islam, 19; taken by Turks, 24; England sought control of (1622), 30
- Military occupation of Iraq: fear of a *jihad*, 36; British oil interests at head of Persian Gulf, 36-7; statement on, by Asquith, 37-8; Basra taken, 38; Kut taken, 40; surrender of Townshend, 42; General Maude takes Bagdad, 42; Armistice of Mudros, 42; period ends, 226
- Mohammed, early activities of, 15-7.
- Mosul: Iraq applied to, 3; vilayet, 3; occupied, 42; conceded to Great Britain by France, 64-5; demanded by national assembly, 123; question of, in Treaty of Lausanne, 128; British quest for oil in, 128-9; population of, presented at Lausanne Conference, 146; powers commend Curzon's suggestion of arbitration, 149; issue before Council, 154; commission to study, 155; area of, 160; population of, by Commission of Enquiry, 161; Council's decision, 171; to Iraq, 172; Turkish reaction to decision, 173-6; an instance of forced arbitration, 177
- Mudros, Armistice of, 42, 142
- National Army: the shabanah a nucleus, 217; British army main security, 218; related to reduction of British forces, 233; military college, 234, 235; conscription for, 235; reduction of British forces, 237
- National assembly: election for, 119 ff; opens, 121; debates Anglo-Iraqi treaty, 122; accepts treaty, 122-3; adopts constitution, 124
- Nation-State: its rise, 28; stimulated from Arabian learning, 29; and Bagdad railroad, 35
- Negotiations at Lausanne: they open, 142; close in failure, 149; at second conference, 149
- Nixon, General, hastens attack on Bagdad, 41
- Occupied Territories Code: put in force, 55; not in vilayets of Bagdad and Mosul, 56
- Oil (*see* Mosul): drilling projects and locations, 251; and Iraqi revenues, 253-4; pipe line to sea, 253; and map, 255
- Parliament, The: in the constitution, 187-9; attractiveness of seats in, 267-8; Dobbs on efficiency of, 270
- Parmoor, Lord, represents Great Britain before Council, 154
- Permanent Court of International Justice: asked for advisory opinion, 168; its opinion, 169
- Permanent Mandates Commission: its services reviewed, 274 ff; more critical at end than formerly, 276-7; anxious as to Assyrians, 277-8; its opinion on fitness of Iraq for emancipation, 282-4
- Pichon, M., on Sykes-Picot treaty, 46-7
- Picot, M. F. Georges, instructions to, by French foreign office, 61-2
- Police: shabanah, 217; development of, 237; efficiency of, 238
- Provisional government: set up by Cox, 225; system of ministries and personnel, 226-7; political divisions of Iraq, 228; municipal elections, 229
- Public utilities: transferred to Iraq, 197-8; bill for, canceled, 240
- Railroads (*see* Bagdad railroad): system to Iraq, 198; mileage, receipts, etc., 218-21; personnel, 221-2; financial condition of, 240; improvements in, 253; loans to, 254
- Revolt in Iraq, The: its background, 79-81; chief events, 81-3; conclusions on, 83 ff; *Manchester Guardian* and *London Times* on, 85-6
- Rivalry in oil: British quest for oil, 129 ff; Curzon on use of oil in the war, 130; United States seeks oil in near east, 133-

- 4; San Remo agreement on oil, 135; Anglo-American diplomatic wrangle in, 133 ff; settlement as between Great Britain and United States, 141; British and American oil men at Lausanne Conference, 147; Americans oppose British oil interest at second Lausanne Conference, 149; Secretary Hughes on, 150
- Royal Air Force: use of, referred to by Cox, also by Sir Percival Phillips, 232-5; too prone to use, 236
- San Remo agreement: mandates to Great Britain and France, 93; its oil provisions, 135
- Secret diplomacy: at its worst, 43; six agreements, 44; *see* map, 45; Big Four discuss these agreements, 44-8
- Shatt-el-Arab, formed by Tigris and Euphrates, 4
- Shiahs (Shiites): Schismatics, 18; leaders of, oppose British, 54; holy cities of, 58-9; trouble for the British, 59; leaders oppose elections for national assembly, 120; opposition crushed, 121
- Sinbad: at "Spice Islands," etc., 21
- Smuts, General, and mandatory system, 49-50
- Subsidiary agreements accompanying treaty of 1922, 194 ff
- Sulaimaniya refused to participate in election of Feisal, 231
- Sunnis, orthodox, 19
- Syria: French interest in, 46; French culture in, 71; under Feisal, 72; Iraqis in Syrian campaign, 77-8; Feisal on, at peace conference, 92
- Terminating the mandate: without precedent in, 271; irrepressible conflict for, 271; abnormality of Anglo-Iraqi relations as seen from within, 273; Great Britain eager to be rid of mandate, 277; terms and conditions for ending mandate, 279 ff; final steps in, 284 ff; treaty of 1930, 288 ff; Iraq admitted to the League, 292 ff; congratulatory remarks on, 292-3
- Treaty of Lausanne: signed, 121; ratified, 199
- Treaty modifications: made necessary by Mosul settlement, 200; other changes demanded, 200 ff; change in British policy, 202; review of Anglo-Iraqi treaty relations, 272; treaty of 1930, 288 ff
- Tribal Disputes regulation put in force, 57
- Turk, The: takes part of Persia and Mesopotamia, 24; becomes Sunni, 24; enters Europe (1453), 29; convergence by Europe upon, 34; administration of Iraq under, 52; little encouragement to settled life of Arabs, 55; *see* Mosul, negotiations at Lausanne, and commission of enquiry; accepts decision on Mosul, 176
- United States: demands voice in proceedings, 101; demands open door, 105; invited by League Council to attend its next meeting, 108; ignores invitation, 108-9; seeks oil in near east, 133-4; agreement with Great Britain, 141; oil men at Lausanne, 147; oppose British interests, 149; Secretary Hughes and, 150
- Wilson, Col. A. T.: acting civil commissioner, considers provisional constitution, 178; saw mandate as a mistake, 274
- Wilson, Woodrow: wants no mandate for United States, 46; on inter-allied commission to Turkish territories, 48; uses opportunity to force ideas, essentially American, into League Covenant, 49-50; on mandatory system, 88-9; King-Crane Commission, 89

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